

Human rights and biometric data protection. Social credit system

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Abstract

Biometrics, as a field of science, analyses the physical and behavioral characteristics of people in order to identify their personality. A huge amount of technology in the field of biometric data collection is developed by IT giants like Google, Facebook or Alibaba. The European Union (EU) took an important step towards biometric data confidentiality by developing a unified law on the protection of personal data (General Data Protection Regulation, GDPR). The main goal of this action is to return control over personal data to European citizens and at the same time simplify the regulatory legal basis for companies. While European countries and organisations are introducing the GDPR into force, China since 2016 has launched a social credit system as a pilot project. The Social Credit Score (SCS) is based on collecting the maximum amount of data about citizens and assessing the reliability of residents based on their financial, social and online behaviour. Only critical opinions can be read about the social credit system in European literature, although the opinions of persons being under this system – Chinese citizens – are quite positive. In this context, we should not forget about the big difference in the mentality of Asians and Europeans.

The aim of this article is to compare EU law and the legislation of the People's Republic of China regarding the use and storage of biometric data. On the basis of statistical data and materials analysed, key conclusions will be formulated, that will allow to indicate differences in the positions of state institutions and the attitude of citizens to the issue of personal data protection in China and the European Union.

Keywords: human rights, biometric data, personal data, General Data Protection Regulation (GDPR), Europe, People's Republic of China, social credit system, social trust system, Social Credit Score (SCS).

Prawa człowieka a ochrona danych biometrycznych. System kredytu społecznego

Streszczenie

Biometria, jako dziedzina nauki, analizuje fizyczne i behawioralne cechy ludzi w celu określenia ich osobowości. Znaczącą ilość technologii w zakresie gromadzenia danych biometrycznych tworzą gi-

ganci IT, tacy jak Google, Facebook czy też Alibaba. Unia Europejska (UE) zrobiła ważny krok w kierunku poufności informacji biometrycznych poprzez uchwalenie ujednoczonych przepisów dotyczących ochrony danych osobowych (znanych jako RODO). Głównym celem jest przywrócenie kontroli nad danymi osobowymi obywatelom Europy przy jednoczesnym uproszczeniu regulacji prawnych dla przedsiębiorstw. Podczas, gdy kraje i organizacje europejskie wprowadzają w życie RODO, od 2016 roku w Chinach uruchomiono system kredytu społecznego jako projekt pilotażowy. System kredytu społecznego opiera się na gromadzeniu maksymalnej ilości danych o obywatelach i ocenie wiarygodności mieszkańców na podstawie ich zachowań finansowych, społecznych i internetowych.

Celem artykułu jest porównanie prawa UE i ustawodawstwa Chińskiej Republiki Ludowej w zakresie wykorzystywania i przechowywania danych biometrycznych. Na podstawie danych statystycznych i przeanalizowanych materiałów zostaną sformułowane kluczowe wnioski, które pozwolą określić różnice w stanowiskach instytucji państwowych i stosunku obywateli do kwestii ochrony danych osobowych w Chinach i w Unii Europejskiej.

Słowa kluczowe: prawa człowieka, dane biometryczne, dane osobowe, ogólnie rozporządzenie o ochronie danych (RODO), Europa, Chińska Republika Ludowa, system kredytu społecznego, system zaufania społecznego.

Biometric data is a set of unique biological and physiological characteristics that allow for identification of a person. There are most common types of biometrics: fingerprints, face image, voice, and iris. As a rule, biometrics are used to digitally identify citizens. For example, banks need clients' biometric data to provide various services remotely; in situations, where for instance people need to open an account or take a loan, request information about something, enroll in medical care, buy anything, anywhere. Nowadays, e.g. in stores through the mobile telephone, biometric data is already helping people to pay for purchases simply by putting a finger on the gadget (e.g. *Smile To Pay*)¹.

Methods and materials

The article attempts to analyse the European legislation and the legislation of the People's Republic of China (China, PRC) on the use and storage of biometric data. Methods used in the article are comparative legal, sociological and statistical. On the basis of the data and materials obtained, concerning the usage and protection of personalised information of the citizens in China and the European Union, key conclusions will be formulated, which make it possible to identify the position and attitude of state institutions and citizens to the personal data protection.

One of the trends since beginning of the twenty-first century is the widespread use of personal data characterising human biometric indicators.

¹ *Alipay* payment system launched a biometric payment system using face recognition. The service called *Smile To Pay* – "pay with a smile" allows customers to pay for their order in a special terminal without cash, credit cards or smartphones. It is enough for the client to enter his phone number, which is tied to the Alipay wallet, and smile – this action allows the face recognition system to make sure that there is a live person in front of the camera, and not a photo.

Biometrics is the basis of identification documents (biometric IDs), which the International Civil Aviation Organization (ICAO) of the United Nations (UN) standardised in the world. Since 2002, biometrics has been recognised in its documents as the main method of identification². ICAO Member States accept face recognition technology as the primary and mandatory method of identification, and can also use fingerprint identification and iris scan technology at their choice.

Biometrics is mainly used in the areas of national security, health care and registration systems. Moreover, biometrics are widely used by companies to monitor employees and internal security, by banks – to identify customers, by corporations and social networks – for commercial purposes.

The legal and social consequences of the development of information technologies, digitalisation and technical means of processing information are the main reason for amending international and national legislation that are aimed at ensuring an adequate level of the protection of citizens' rights from emerging threats (see more: Krivogin 2017; Tereshenko, Krivogin 2017).

The wide dissemination of biometric technologies came at the beginning of the 21st century and is associated with the growing threat of terrorist acts in many countries around the world.

Europe. Personal data protection

Before the time, when biometric technologies began to be massively applied, many countries and members of the Council of Europe had already ratified *The Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data* (CETS No. 108, 1981),³ and countries within the European Union – the *Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data* (24 October 1995). The adoption of these documents ensured the protection of the rights of citizens in the processing of personal data. The list of the information relating to a special category of personal data, is very similar to as Art. 14 of the *European Convention for the Protection of Human Rights and Fundamental Freedoms* (1950): race, religion, political and other beliefs, national origin. The main goal was to provide citizens with additional guarantees against discrimination during the use of information technology in processing information.

In the European doctrine and legislation there is a tendency to increase the level of protection of the rights of citizens in the field of processing and protection of personal data. The European Union made a step towards the confidentiality of biometric information. Since 25 May 2018 the unified regulation on the protection of personal data applies

² Standards for biometric passports are contained in ICAO Document 9303: OCR machine readable passport, e-passports or passports with an RFID chip, plastic identification cards, etc (<https://www.icao.int/publications/pages/publication.aspx?docnum=9303>). (See also: Galliulina 2014).

³ See more information on the website: <https://www.coe.int/en/web/data-protection/convention108-and-protocol>

(*General Data Protection Regulation*, hereinafter – GDPR), which was adopted in 2016 (see: Regulation (EU) 2016/679). The main aim of this document is to return to European citizens the control over their personal data and at the same time simplify the regulatory framework for companies.

GDPR is a recent regulation that allows Europeans to control their personal data. They have the right to receive these data, even correct or delete them, as well as restrict access to them. If any institution in any way collects personal data, it must receive permission from users. According to the GDPR, under the “personal data” is understood: “any information relating to an identified or identifiable individual (“data subject”)...” (see: Regulation (EU) 2016/679: art.4, par.1). For violation of the rules for processing personal data on GDPR, fines of up to 20 million euro or 4% of the company’s annual global income are provided. The law establishes that personal data should be collected and processed only for “specific, explicit and legitimate purposes”.

China. The Social Credit Score

It should be noted that the social credit system is not a Chinese invention – a similar thing is being implemented in other countries in the world today. At the same time, the People’s Republic of China is already ahead of everyone in this regard (Golubev, Sugak 2019: p. 63).

It’s worth mentioning that the more accurate translation (in Chinese) of the term “Social Credit Score” is a system of public trust (see more: Golubev, Sugak 2019). It is the largest in the world and most complex structure for the monitoring and subsequently influencing the behaviour of both individuals and society as a whole.⁴

While technology is improving, lawmakers around the world are deciding how to regulate and protect the collection and also use of collected biometric information. In China, starting in 2016, they are launching a social credit system as a pilot project. Furthermore, it is worth starting with the fact that PRC denies the concept of “natural rights” understood as the rights and freedoms are granted to Chinese citizens only by the socialist state itself, and only it determines the list and scope of these rights and freedoms. And already on this basis, it should be understood that the affairs with personal data in the People’s Republic of China are in a special way with “Chinese characteristics”.

In 2012, the Standing Committee of the NPC decided to enhance the protection of network information (see: Decision of the National People’s Congress... 2012). The document was rather small, however it regulated personal information issues: how a person and an operator must handle personal data.

On February 1, 2013, the *Guidelines for the Protection of Personal Information in the Information System for the Provision of Public and Commercial Services* entered into force, which defined personal data. The “personal data” is information that can negatively affect the identity of the subject of personal information after it is disclosed or modified. For example, personal confidential information may include an identification number, mo-

⁴ More information, for example: https://en.wikipedia.org/wiki/Social_Credit_System; <https://nhglocal-partners.com/chinas-social-credit-system-explained/>

bile phone number, race, political opinions, religious beliefs, genes and fingerprints, etc. (see: *Guidelines...*2012). In addition, the *Guidelines...* (clause 5.2.3.) establishes the obligation of the personal data operator that, before processing personal information, the consent of the subject of personal information is required, including tacit consent or explicit consent. If the subject of personal information explicitly objects, the operator must stop collecting or even delete personal information. The operator collecting personal confidential information, must obtain the explicit consent of the subject of personal information.

On 1 June 2017, the Law on Cyber Security of the PRC came into force. The law is the first consolidated law governing virtually all problems in this area in China (see: Law on Cyber Security... 2016). Moreover, it is necessary to say that since 28 May 2019 the National Information Internet Bureau has posted on the government's website a notice about the public consultations on the "Measures for managing data security (draft for comments)".

According to the PRC Network Security Act and other regulations, the term "personal data" exists in China, and operators must ask for their consent to collect it. It is a logical question: how were the personal data of citizens, which were the basis for the formation of a social credit system, collected? So, the "Big brother of the XXI century" appeared in China – the Social Credit Score (SCS) (Kovachich 2017). The most accurate translation in terms of the meaning and content of this process is the social trust system. The creation and implementation of such a system was planned in the early 2000s, when its theoretical base was laid. It directly concerns the idea of "building a harmonious society", expressed in 2003 under the former Chairman of the PRC, Hu Jintao (see: *For the comments...* 2007), but the process was not launched. With the coming to power of Xi Jinping, in 2014, the State Council of the People's Republic of China published the "Programme for the creation of a social credit system (2014–2020)" (see: Notice of the State Council... 2014). Based on the fundamentals of the programme, starting from 2020, not only all companies, but also all citizens of China will be monitored and evaluated by the aforementioned social credit system.

It is worth noting that, in addition to the central authorities and provincial governments, non-governmental organisations are also involved in the development of the Social Credit Score. So, to launch The Social Credit Score in a test mode, the Chinese government issued a license to eight private companies to develop software and hardware systems and algorithms for determining social rating. Given the dominance of tech giants like Tencent and Alibaba in the Chinese e-services market, they are carrying out two of the most advanced public credit projects in the country.

The People's Republic of China is generally well prepared for the introduction of a social credit system. The Chinese are very much integrated into the digital world. According to the information, in 2018 the number of Internet users in China amounted to more than 800 million people, which is almost 60% of the population of China. In relation to the adult population – more than 90%. According to statistics, more than 569 million people in China make purchases online. The turnover of retail sales on the Internet in 2018 exceeded 9 trillion yuan as part of the introduction to electronic services and payments, the Chinese will give odds to the Americans and Europeans. Mobile payments in China are provided by 90% of Alipay and WeChatPay services. In 2015, two major IT

companies in China, *Alibaba*⁵ and *Tencent*⁶, began to consolidate user information. These two companies collected user personal data – since Tencent is the owner of the WeChat messenger, the number of its users is more than 500 million people. Alibaba is the largest online commerce platform used by more than 500 million Chinese. Tencent, like Alibaba, is actively exploring the Fintech industry: the mobile payment services of these companies – Alipay and WeChatPay – account for 90% of the mobile payment market in China, which reached \$ 5.5 trillion (Kovachich 2017). In addition to the two tech giants discussed above, the Chinese government issued a license to develop software and hardware systems and algorithms for determining social rating to six more companies with extensive scoring databases such as: Kaola Credit, Pengyuan Credit, China Chengxin Credit, Intellicredit, Sinoway Credit and Qianhai Credit Service.

In general, as of early 2019, the aggregate rating system of the above eight private companies represents a streamlined, advanced and effective system for assessing the creditworthiness, reliability and loyalty of 1.2 billion Chinese in the country and abroad. In fact, it is one of the world's largest working personal data analysis systems.

The specified companies can collect absolutely any, and practically all the information about a person; mobile applications and information about the registration data of their users opens all the information about the person, for example: which photos he/she likes, which things he/she purchases, on which platforms and stores; what locations he/she uses, and where he/she is situated, at what time. It is quite possible to see the income and the method of receipt of the funds, the sphere of interests; with whom and about what does the person communicate in chat.

In other words, the IT giants of China in the matter of honesty and trust were the main "informants" in the introduction of the social credit system. It monitors, controls, processes and differentiates the incoming data from the State Committee for Development and Reforms of the PRC (Kovachich 2017). Thus, from a technical point of view, the social credit system will be a single bank of information reflecting different aspects of citizens' lives. Information will be collected from public and private organisations, in which citizens leave their electronic "traces", and processed using Big Data technologies to obtain an integrated indicator for each citizen.

The essence of the social credit system is in following four key areas: state integrity, business reputation, socialisation, and public trust. Three ways were proposed:

- 1) to strengthen the education of integrity and the formation of the culture of trust, promote a culture of honesty throughout society;
- 2) to accelerate the creation and use of credit information systems, create a unified system of the social loans for individuals, legal entities and other organisations, to form a nationwide mechanism for the exchange and exchange of credit information;

⁵ See more information on the website: www.alibaba.com

⁶ *Tencent* is a Chinese investment holding company. Tencent is the largest investment company in the world and one of the largest venture capital firms. Tencent's many services include social networks, music and web portals, e-commerce tools, payment systems, mobile and online games. For example, Tencent owns Tencent QQ, the most popular instant messaging service in China, and WeChat, a mobile text and voice messaging application.

- 3) to improve the mechanism of the social credit system with a focus on the system of rewards and punishments, improve the mechanism of encouraging and disciplinary impact on trust, introduce incentive policies for managing priorities, creating black and red lists.

The Social Credit Score for citizens

The basis of the Social Credit Score for citizens is the availability of a unique electronic identifier for each Chinese citizen. The identifier is an 18-bit life code tied to the citizen's internal passport (card), which no one has the right to change, except for the authorised authorities. Starting from 2021, any economic, social and even domestic actions in China, not only online, but also offline, will be carried out exclusively on the basis of an electronic identifier.

The face recognition system *Face++* (www.faceplusplus.com) runs for more accurate reporting on the actions of each person outside the electronic network. The potential of this direction is both the tracking of movements and actions of citizens through outdoor video surveillance systems, and the monitoring or evaluation of all media content that goes to social networks from people's devices (Avseenko 2019).

The entire data array enters the *All-China Integrated Credit Information Platform*, which will process this data array and generate ratings. Ratings of companies, data on individuals – can be tracked on the website of *Credit China*⁷.

The social credit system is a social concept based on a distinction regarding the possibility of obtaining a range of social and economic services depending on the citizen's special "rating" (Avseenko 2019). The rating is earned by certain points, which can either be charged or deducted, depending on the nature of the citizen's actions, his social status, his circle of communication and a host of other factors. The baseline personal credit information score is 1000 points, including 150 credit points for commercial services information, 120 social service credit information points, 530 social management credit information points and 200 social credit special information points. In addition, there are several items for adding and subtracting. Every resident of China has a starting rating of 1000 points. A single information centre analyses and processes each of 160 thousand different parameters using Big Data technology, information comes from 142 institutions (Kovachich 2017). If the rating is more than 1050 points, it means an exemplary citizen with an AAA index; 1000 points corresponds to AA index; 900 points – corresponds to the index B; if the rating is below 849 points – index C; if the number of points is below 599 – index D. Thus, the credit rating of Chinese residents will be divided into four levels: "A", "B", "C" and "D". So, "A" is honest, "B" is truthful, "C" is irresponsible, and "D" is unreliable. Different credit ratings will be treated differently and limited in social life. Residents of China with the "A" index can occupy good job positions, qualify for civil service, fly on airplanes, stay in hotels, their children will be able to study in good educational institutions. They give preference to care in the terms of enrollment, employment, daily allowance,

⁷ See more information on the website: www.creditchina.gov.cn/home/index.html

social assistance, etc. The citizens with the "D" index become excluded by society, they are not hired, they are not given loans, they do not buy tickets for airplanes and trains (high-speed trains), they cannot rent a car, and use a bicycle without collateral. People from their environment (neighbors and acquaintances, comrades) are trying to stop communicating with these people in view of the fear of lowering their rating. Residents with an "AA" index and, accordingly, higher, are given a consumer loan of up to 200 thousand yuan without collateral and guarantors, at a reduced interest rate. Anyone who has an "A" index can go to the hospital without collateral, if the cost of treatment does not exceed ten thousand yuan. With the "AA" and "AAA" indexes, the unsecured amount increases to twenty and fifty thousand yuan, respectively. In hospitals or clinics, such people will be provided by free medical assistance (Kovachich 2017).

Citizens can earn or lose ratings – it is very simple. It is enough in daily life to be guided by the law, fulfill debt obligations on loans in time, pay taxes, preferably timely, comply with the rules of the road (for every violation, additionally to administrative fine, 5 points will be removed from the rating), do not violate the moral principles of society respect for adults, purchase of diapers, etc. For example, a citizen left the garbage in the wrong place – minus five points, helped his elderly neighbour to get the hospital – plus five points.

The Social Credit Score for companies

The rules of the Social Credit Score for companies are more clearly formulated. They are based on the massive collection of the data on the activities of companies by government agencies and authorised rating agencies. The data includes: central government credit records that focus on major offenses; sectoral social credit ratings, formed by line ministries; information from commercial credit rating agencies, as well as information from the credit rating center of the People's Bank of China.

It is quite understandable, how the social credit system works regarding to legal entities: it is necessary to comply with the law, pay taxes on time, ensure good working conditions for employees, pay wages on time, produce high-quality goods. If the company fulfills all its financial obligations, it is assigned a high rating, and it can take advantage of tax preferences, good credit conditions. The administrative procedures are simplified in relation to it. Companies with a low rating will not receive loans, and tax rates will be higher (Kovachich 2017).

In addition, it is provided that if the leaders of business structures and companies commit serious violations, expressed in a decrease in the level of trust, then they are deprived of the right to found companies or own them in the financial sector, export-import operations, issue shares, bonds, receive stock options, participate in tenders at the federal and local levels can no longer rely on government subsidies or government support. The leaders of such structures are also deprived of the right to move to high-ranking positions in the civil service, in the Communist Party of China and the Armed Forces, when their ratings decrease.

At the end of 2018, at a joint meeting of the CPC Central Committee and the State Council of the People's Republic of China, the experience of encouraging and punishing

business leaders and owners, depending on the indicators of the social rating of their companies, was approved. At the same meeting, it was decided, starting from 2020, to publish blacklists of top managers and business owners whose companies have a low rating. According to the progress report on the implementation of the Social Credit Score, the State Center for Information on Social Credit in China reported that almost 4 million legal entities were blacklisted by the beginning of 2019.

As for top-rated executives and business owners, they have additional opportunities: concessional lending, preferences for tenders for government purchases, government support for import and export operations.

“Black” and “red” lists

The basis of the system of social trust is the “black” and “red” lists, an indicator of how a person or a legal entity is rated. Those in the “black lists” are punished for undesirable behaviour, violation of the rules, law, etc., and those in the “red lists” are rewarded for high-quality work, observance of law and order, help to the neighbor, and diligent performance of their duties. On the website of Credit China, they publish and constantly update both “black” and “red” lists of citizens and legal entities.

Violators fall into the first category, which are restricted. But we are not speaking about petty hooliganism and violations, for example, about not taking care of the pet or crossing the street in the wrong place. The list includes malicious tax evaders or those who do not comply with court decisions. In addition, Credit China has a “honor roll” – a list of “good citizens” who, according to their rating, deserve trust and respect. Thus, the goal of the system is to encourage respectable behaviour of citizens and prevent unreliable actions by developing a “culture of sincerity and trustworthiness”. Of course, as any innovation, the social credit system, which is an unconditional innovation, has positive and negative features.

The attitude of the West and China to the social credit system

Many Westerners are outraged by what they learn from the Western media about China's The Social Credit Score (SCS), although such systems are not unique to the PRC. The West itself has long lived in similar conditions. In the United States, for example, Big Tech (the collective name for American transnational online services or computer and software companies that dominate cyberspace: Google, Amazon, Apple, Facebook, Microsoft) monitors the population, tracking consumers' preferences, and is influencing their behaviour through targeted advertising on the network. The only difference between the situation in Western countries and China is that in the so-called democratic states, control over society is decentralised and is carried out by transnational corporations in their own interests. In contrast to the “democratic” countries, in China control over society is carried out centrally – in the interests of the state and state economic entities.

Researchers indicate two main reasons, why Chinese society is tolerant of the system of public trust (The Social Credit Score). The first is that the basic principles of the The

Social Credit Score (SCS) are deeply rooted in the Chinese mentality and tradition of government. Another reason why the Chinese society is tolerant of the system of public trust (credit), as noted by the researchers, is that China is technically well prepared for its implementation. Today, no other society in the world is integrated into the digital environment as strongly as Chinese society.

Thus, among to disinvites which almost all European mass media write about there is, of course, formation of a police state; totalitarianism with Chinese characteristics; restriction of the already non-existent rights of citizens; rating of the social credit system. The disturbing image of the system was presented by the organisation Human Rights Watch, which called it "a futuristic version of Big Brother, out of control". With all the ambiguity, inaccuracy and yet still its pilot state – the system is not without positive aspects. For example, perfectly ordinary citizens believe that this helps them to become better.

A vital feature of the Chinese is their fear of being censured. Public censure, which, in our opinion, is the "black list", is published on the website of Credit China. Checking the "black list", an employer or a person who plans to purchase real estate, or an organisation that wants to enter into a multi-million contract with a supplier, will be able to secure itself before hiring people and concluding contracts with the organisation. A person or organisation, that does not comply with the law in force in the state, will be prevented from obtaining a visa to leave the country, unable to fly on airplanes or stay in good hotels. Of course, this will motivate people to behave decently.

Conclusions

The movement of public relations to the Internet has a significant impact on their nature and gives rise to new claims within the framework of traditionally recognised human rights. It requires the development of new approaches to understanding and protecting human rights that meet modern realities.

The legal framework in the European Union has a huge impact on the development of the content of such human rights as privacy (including the protection of personal data), respect for honor and dignity, freedom of expression, etc., which are undergoing significant transformations in the Internet era. A person on the Internet is forced to control the information received about him/her, under the direct control of the state.

When analysing the situation developing in China with the introduction of the social credit system, it is worth remembering that "China goes its own way" and always focuses on its centuries-old peculiarities, but does not copy European know-how. Western media constantly write with concern about the introduction of a "social rating system" in the PRC, which is considered the main one for the "state digital dictatorship." The Social Credit Score is considered by many authors to be the clear manifestation of the Chinese government's intention to strengthen legal, regulatory and policy processes through the use of informational technology. Meanwhile, the majority of Chinese people assess this system positively (see: Kostka 2018; Freie Universität Berlin 2018). Officials believe that it helps to reduce the number of counterfeit products, fight fraud and corruption.

The Chinese themselves believe that the system of "social trust" helps them to fight their own shortcomings. Some people themselves voice their social rating on pages in social networks and on dating sites, since a high rating inspires greater confidence not only among the state, but also among other citizens.

Analysing the considered system, we can conclude that lawmakers are trying to introduce the idea of social trust, because more control and confidence in society will reduce illegal phenomena, and this, in turn, will contribute to the economic development of China. However, the possibilities of biometrics are increasingly turning into problems: data leakage, cybercrime, "identity theft". Moreover, the growing use of biometric technology poses new challenges for governments. Will states protect the anonymity of their citizens or is full transparency waiting for not only Chinese residents, but everyone who has an account in social networks, uses the phone and at least occasionally leaves the house? The development of technology in any case will require the development of a legal field.

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➔ References:

- AVSEENKO Ivan (2019), *Sotsial'nyj kredit sformiruet neravenstvo ravnykh*, <https://www.eastrussia.ru/material/sotsialnyy-kredit-sformiruet-neravenstvo-ravnykh/> (28.12.2019).
- DECISION OF THE NATIONAL PEOPLE'S CONGRESS on Strengthening the network information protection (2012), http://www.gov.cn/jrzq/2012-12/28/content_2301231.htm (28.12.2012).
- DIRECTIVE 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, OJ L 281, 23.11.1995.
- FOR THE COMMENTS of the General Office of the State Council on the establishment of the social credit system, №17 (2007), http://www.gov.cn/zwgk/2007-04/02/content_569314.htm (02.04.2007).
- FREIE UNIVERSITÄT BERLIN (2018), Study: More than two thirds of Chinese take a positive view of social credit systems in their country, Press release № 198/2018, <https://www.fu-berlin.de/en/presse/>

- informationen/fup/2018/fup_18_198-studie-sozialkreditsystem-china/index.html (23.07.2018)
- GALIULLINA Dilyara R. (2014), *Biometric documents in modern society*, "Istoricheskie, filosofskie, politicheskie i iuridicheskie nauki, kulturologia i iskusstvovedenie. Voprosy teorii i praktiki", no. 11 (49), part II, p.59-62, www.gramota.net/materials/3/2014/11-2/13.html (28.08.2020).
- GOLUBEV Sergey G., SUGAK Vadzim K. (2019), *Chinese social credit system as the tool of governance in the digital era*, "Journal of the Belarusian State University. Sociology", no. 4, p. 62-74.
- GUIDELINES for the Protection of Personal Information of Information Security Technology Public and Commercial Service Information Systems (2012), <https://baike.baidu.com/item/%E4%BF%A-1%E6%81%AF%E5%AE%89%E5%85%A8%E6%8A%80%E6%9C%AF%E5%85%AC%E5%85%B1%E-5%8F%8A%E5%95%86%E7%94%A8%E6%9C%8D%E5%8A%A1%E4%BF%A1%E6%81%AF%E7%B-3%BB%E7%BB%9F%E4%B8%AA%E4%BA%BA%E4%BF%A1%E6%81%AF%E4%BF%9D%E6%8A%A4%E6%8C%87%E5%8D%97> (05.11.2012).
- INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO), *Standards for biometric passports are contained in ICAO*, Doc. No. 9303, <https://www.icao.int/publications/pages/publication.aspx?docnum=9303> (29.01.2020)
- KOSTKA Genia (2018), *China's Social Credit Systems and Public Opinion: Explaining High Levels of Approval*, Freie Universität Berlin, "SSRN", <https://ssrn.com/abstract=3215138> (23.07.2018). DOI: 10.2139/ssrn.3215138
- KOVACHICH Leonid (2017), *Bol'shoj brat 2.0. Kak Kitaj stroit tsifrovuiu diktaturu (Big Brother 2.0. How China is building a digital dictatorship)*, Carnegie Moscow Center, <https://carnegie.ru/commentary/71546> (18.07.2017).
- KRIVOGIN Maksim S. (2017), *Peculiarities of legal regulating biometric personal data*, "Pravo. Zhurnal Vysshey shkoly ekonomiki", no 2, p. 80-89. DOI: 10.17323/2072-8166.2017.2.80.89.
- LAW ON CYBER SECURITY of the PRC (2016), http://www.npc.gov.cn/npc/xinwen/2016-11/07/content_2001605.htm (07.01.2016).
- NATIONAL DEVELOPMENT AND REFORM COMMISSION of the People's Republic of China (W/W/W), <http://www.ndrc.gov.cn/> (28.08.2020).
- NOTICE OF THE STATE COUNCIL on Printing and Distributing the Outline of the Construction of the Social Credit System (2014-2020), http://www.gov.cn/zhengce/content/2014-06/27/content_8913.htm (14.06.2014).
- REGULATION (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), *OJ L 119*, 04.05.2016.
- TERESHENKO Lyudmila K., KRIVOGIN Maksim S. (2017), *Features of legal regulation of Publicly available personal data*, "Bulletin of the Ural Federal District. Security in the Sphere of Information", no. 2(24).
- THE CONVENTION (1981) for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 108), <https://www.coe.int/en/web/data-protection/convention108-and-protocol> (20.08.2020)