

Curriculum Vitae

Professor DONGYAN LAO

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EMPLOYMENT

2017 Feb. - Professor of Law on Tenure Track

Tsinghua University School of Law

2009-2016 Associate Professor of Law

Tsinghua University School of Law

(From April, 2014 to January, 2015, as visiting scholar in Meijo University in Japan)

2004-2008 Lecturer at Law

Tsinghua University School of Law

(From September, 2006 to July, 2007 as visiting scholar in Pennsylvania University Law School and Yale University Law School)

1996-1998 Assistant of Public Prosecutor

The First Division of Shanghai Municipal Procuratorate

EDUCATION

1999-2004 Peking University Law School, Ph.D. of Law

(2002-2003 as Exchange Student at the Law School of Munich University, Germany)

1992-1996 East China University of Politics and Law, Bachelor of Law,

Language: Chinese, English, German (Reading)

LIST OF PUBLICATIONS

A. Monographs and Books

1. Dongyan Lao, 《功能主义的刑法解释》(A Functionalism Approach to Criminal Law Interpretation), Beijing: Chinese Remin University Press, 2020, 477pp.

2. Dongyan Lao, 《风险社会中的刑法》(*Criminal Law in Risk Society*), Beijing: Peking University Press, 2015, 461pp.

3. Dongyan Lao, 《刑法中的学派之争与问题研究》(*Essays on the Debate between Legal Schools in Criminal Law*), Beijing: The Law Press, 2015, 363pp.

4. Dongyan Lao, 《罪刑法定本土化的法治叙事》(*Research on the Legality Principle from the Perspective of Rule of Law*), Beijing: Peking University Press, 2010, 315pp.

5. Dongyan Lao, 《刑法基础的理论展开》(*Essays on the Fundamental Theory of Criminal Law*), Beijing: Peking University Press, 2008, 426pp.

B. Representative Articles in Journals and Symposiums in Chinese

Dongyan Lao, “买卖人口犯罪的保护法益与不法本质”(The Crime of Human Trafficking's Legal-Interests and Wrongdoing), in *Guojian Jianchaguan Xueyuan (Journal of National Prosecutors College)* 4 (2022), pp.54-73.

Dongyan Lao, “人脸识别第一案的法理分析”(Legal Analysis on the First Case Concerned with Facial Recognition in China), in *Huanqiu Falv Pinglun (Global Law Review)* 1 (2022), pp.146-161.

Dongyan Lao, “个人信息法律保护体系的基本目标与归责机制”(Fundamental Goal and Imputation Mechanism of the Personal Information Protection Law System), in *Zhengfa Luntan (Tribune of Political Science and Law)*, vol. 5 (2021), pp.3-17.

Dongyan Lao, “金融诈骗罪保护法益的重构与运用”(The Reconstruction and Application of Legal-Interests Doctrines in the Crime of Financial Fraud), in *Zhongguo Xingshifa Zazhi (Criminal Science)*, vol. 4(2021),

pp.3-29.

Dongyan Lao, “个人数据的刑法保护模式” (Rethinking Personal Data Protection in the Criminal Law of China), in *Bijiaofa Yanjiu (Journal of Comparative Law)*, vol.5 (2020), pp.35-50.

Dongyan Lao, “功能主义刑法解释的体系性控制” (Systematic Control over Functionalist Interpretation in Criminal Law), in *Tsinghua Faxue (Tsinghua Law Journal)*, vol.2 (2020), pp.22-49.

Dongyan Lao, “刑事政策与功能主义的刑法体系” (Criminal Policy and Functionalist Criminal Law System), in *Zhongguo Faxue (China Legal Science)*, vol.1 (2020), pp.126-148.

Dongyan Lao, “受贿犯罪的法益：公职的不可谋私利性” (Legal-Interests in Bribery Crimes: Non-Self-Profitability of Public Office), in *Faxue Yanjiu (China Journal of Law)* , vol.5 (2019), pp.118-137.

Dongyan Lao, “过失犯中预见可能性理论的反思与重构” (Rethinking on the Dogmatic Theory of Foreseeability in Negligent Crimes), in *Zhongwai Faxue (Peking University Law Journal)*, vol.2 (2018), pp. 304-326.

Dongyan Lao, “法益衡量原理的教义学检讨” (Critical Rethinking on the Principle of Legal-Goods Evaluation as Material Rationale of Justification), in *Zhongwai Faxue (Peking University Law Journal)*, vol.2 (2016), pp.355-386.

Dongyan Lao, “防卫过当的认定与结果无价值论的不足”(Defense Excess and the Defects in the Theory of *Erfolgsunrecht*), in *Zhongwai Faxue (Peking University Law Journal)*, vol.5 (2015), pp. 1324-1348.

Dongyan Lao, “事实因果与刑法中的结果归责”(Factual Causation and Result Imputation in Criminal Law), in *Zhongguo Faxue (China Legal Science)*, vol.2 (2015), pp.131-159.

Dongyan Lao, “死刑适用标准的体系化构造” (Statutory Construction on the

Application Conditions of Death Penalty), in *Faxue Yanjiu (Chinese Journal of Law)*, vol.1 (2015), pp.170-190.

Dongyan Lao, “刑法中的客观不法与主观不法” (Objective Wrongdoing and Subjective Wrongdoing in Criminal Law), in *Bijiaofa Yanjiu (Journal of Comparative Law)*, vol.4 (2014), pp. 65-87.

Dongyan Lao, “风险社会与变动中的刑法理论” (Risk Society and the Dogmatic Theory of Criminal Law in Transition), in *Zhongwai Faxue (Peking University Law Journal)*, vol.1 (2014), pp.70-102.

Dongyan Lao, “刑法解释中形式论与实质论之争的检视与反思” (The Inspection and Review on the Debate between Formalistic Interpretation and Substantive Interpretation in Criminal Law), in *Faxue Yanjiu (Chinese Journal of Law)*, vol.2 (2013), pp.122-139.

Dongyan Lao, “罪刑规范的刑事政策分析：一个规范刑法学意义上的解读” (Penal Policy and Statutory Interpretation in Criminal Law), in *Zhongguo Faxue (China Legal Science)*, vol.1 (2011), pp. 122-140.

Dongyan Lao, “危害性原则的当代命运” (The Fate of the Harm Principle in Risk Society), in *Zhongwai Faxue (Peking University Law Journal)*, vol.3(2008), pp.399-418.

Dongyan Lao, “责任主义与违法性认识问题”(The Requirement of Culpability and Mistake of Law), in *Zhongguo Faxue (China Legal Science)*, vol.3(2008), pp.150-166.

Dongyan Lao, “公共政策与风险社会的刑法”(Public Policy and Criminal Law in Risk Society), in *Zhongguo Shehui Kexue (Social Sciences in China)*, vol.3, (2007), pp.126-139.

Dongyan Lao, “认真对待刑事推定” (Take Presumptions in Criminal Law

Seriously), in *Faxue Yanjiu (Chinese Journal of Law)*, vol.2 (2007), pp.21-37.

Dongyan Lao, “自由的危机: 德国‘法治国’的内在机理与运作逻辑”, *Liberty in Crisis: Rethinking the Mechanism and the Logic Foundation of the German Rechtsstaat*, in *Beida Falü Pinglun (Peking University Law Review)*, vol.6 (2005), No.2, pp.541-562.

Dongyan Lao, “罪刑法定的明确性困境及其出路” (The Doctrine of Void-of-Vagueness in the Dilemma and its Way Out), in *Faxue Yanjiu (Chinese Journal of Law)*, vol.6(2004), pp. 81-93.

C. Articles in Journals and Symposiums in English or German

Dongyan Lao & Dennis Baker, Rethinking Personal Data Protection in the Criminal Law of China,, in *Artificial Intelligence and the Law: Cybercrime and Criminal Liability*, edited by Dennis Baker and Paul Robinson, Routledge, 2020, pp.156-170.

Dongyan Lao, Die Verfremdung der Notwehr und die Funktion des Strafrechtssystems, in Kindhäuser/Pawlik (Hrsg.), *Notwehr in Deutschland und China*, 1 Aufl., 2020, S.79-103.

Dongyan Lao, Eine kritische Überlegung zur Vorhersehbarkeit des Erfolgs in der Fahrlässigkeitslehre, in Hilgendorf (Hrsg.), *Das Schuldprinzip im deutsch-chinesischen Vergleich*, 2018, S.173-184.

Dongyan Lao, Eine kritische Überlegung zur Vorhersehbarkeit des Erfolgs in der Fahrlässigkeitslehre, *Eric Hilgendorf* (Hrsg.), *Das Schuldprinzip im deutsch-chinesischen Vergleich*, S.173-184.

Dongyan Lao, Judicial Activism and Criminal Law Interpretation Theory on the Functionalism, in 2 *China Legal Science* (2017), pp.63-88.

Dongyan Lao, The Function of Value Judgment and Interpretation of Criminal

Law: From the Perspective of the Dilemma Criminal Law Faced in Lu Yong's Case, in 4 *China Legal Science* (2016), pp.139-158.

HONORS & PRIZES

1. The Prize of “Yangtz River Plan for Distinguished Young Scholars of Ministry of Education of China”, 2017.
2. The Honor of “The 2nd Session of Ten Outstanding Young Jurists in Beijing”, 2016.
3. The Honor of “The Most Academically Influential Young Scholars in the Chinese Humanities & Social Science of 2015”, 2016.
4. “Qian-Duansheng National Prize for Research Achievements in Law”, 2012.
5. The Prize of “The Third National Excellent Legal Textbooks and Research Achievements”, by the Judicial Ministry of P. R. China, 2009
6. The Prize of “The Tenth Beijing Excellent Philosophical & Social Science Research Achievements”, 2008.
7. The Honor of “Tsinghua University Outstanding Ten Academic Scholars of 2008” (the highest academic honor in Tsinghua University for young scholars no less than 40), 2009.
8. Tsinghua University Huaxin Scholarship for Excellent Scholars, 2006.
9. The Prize of Excellent Dissertation of Ph. D. in Peking University, 2006.