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The right to explanation as a preliminary procedural right in protecting users' data rights in platform contexts under Chinese law: A doctrinal study

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Abstract: This article examines the normative position and limits of the right to explanation in the platform context under Chinese law. Using doctrinal research to analyze laws, administrative regulations, and regulatory rules, it argues that explanation-related norms in Chinese law have already formed an institutional basis. However, this basis remains fragmented, contextual, and embedded, and has not yet formed a unified, complete, and directly enforceable overall structure of rights. The right to explanation can improve the recognizability and intelligibility of relevant processing, but it is not sufficient by itself to secure effective protection of users' data rights, because it does not automatically give users real capacities of choice, objection, and remedy. For this reason, the right to explanation should be understood as a preliminary procedural right. It further clarifies that the concept of a preliminary procedural right is not an expressly established statutory category in Chinese law, but a normative-doctrinal reconstruction based on existing legal materials. Its institutional function is not to complete protection independently, but to provide the triggering conditions for later protective mechanisms. On this basis, institutional improvement in the platform context should focus on the threshold for triggering the duty to explain, the minimum standard of explanation, procedural connection, human review, platform accountability, operational procedures, external oversight, and interest balancing, so that the right to explanation can be truly embedded in the continuous structure of the protection of users' data rights.

Keywords: Right to Explanation, Preliminary Procedural Right, Protection of Users' Data Rights, Platform Context, Chinese Law

1. Introduction

1.1. Research background

Platforms have long used algorithms for more than back-end technical support. Automated processing such as recommendation, ranking, profiling, review, tagging, content distribution, and account management has continuously intervened in how users obtain information, use services, engage in transactions, and receive outcomes[3].

[3] HE, T. "Online content platforms, copyright decision-making algorithms and fundamental rights protection in China", Law, Innovation and Technology, 2022, vol. 14, no. 1, pp. 71–94. https://doi.org/10.1080/17579961.2022.2047519

In this way, platforms not only improve efficiency. They also reshape users' visibility, choice space, and opportunity allocation in practice[4]. Algorithms are therefore no longer mere tools. They have become an important means through which platforms organize order, allocate resources, and exert influence[5].

For this reason, platform algorithm governance cannot be understood only as a matter of technical governance. It is also a legal issue[6]. Through data collection, behavioral analysis, and automated processing, platforms continuously affect users' real-life situations. Yet users usually see only the outcomes. They often do not know whether the relevant processing has taken place, why it has taken place, or how it affects their rights and interests[7]. Under this structure, platforms control data, models, rules, and procedural design, while users mainly face results rather than process[8]. What follows is not only information asymmetry in a general sense. It is also a power asymmetry between platforms and users.

This article does not attempt to offer a general theory of platform algorithm governance. Its object is narrower. Under the framework of Chinese law, what institutional position should the right to explanation have in the platform context, and how should it connect with later mechanisms in the protection of users' data rights? In other words, platform algorithm governance is the institutional setting of this article, not its overall object. The real question is this: when platforms use personal data for automated processing and affect users' legal and factual position, what kind of right should the right to explanation be understood as, and what role can it play in protecting users' data rights?

1.2. Problem statement

With the gradual development of rules on automated decision-making, algorithm recommendation, deep synthesis, and generative artificial intelligence, explanation-related requirements in Chinese law are no longer merely abstract proposals[9,10]. From a broader comparative perspective, different jurisdictions have long shown different value orientations in data and AI governance. For example, the

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[4] PENG, L. "Illusion, prisoner of algorithm, and transfer of rights: The new risks in the age of data and algorithm", Journal of Northwest Normal University (Social Sciences), 2018, vol. 55, no. 5, pp. 20–29. Available at: https://doi.org/10.16783/j.cnki.nwnus.2018.05.003 (accessed on 8 April 2026).

[5] ZHANG, L. "The rise, alienation and legal regulation of algorithmic power", Studies in Law and Business, 2019, no. 4, pp. 63–73. Available at: https://doi.org/10.16390/j.cnki.issn1672-0393.2019.04.006 (accessed on 8 April 2026).

[6] XIAO, H.; SHANG, H. "The logical starting point and thinking innovation of platform algorithm supervision", Reform, 2022, no. 8, pp. 56–74. Available at: https://gjs.cass.cn/kydt/kydt_kycg/202209/t20220920_5536498.shtml (accessed on 8 April 2026).

[7] ZHANG, L. "Research on the right to explanation of commercial automated decision-making", Science of Law: Journal of Northwest University of Political Science and Law, 2018, no. 3, pp. 65–74. Available at: https://link.oversea.cnki.net/doi/10.16290/j.cnki.1674-5205.2018.03.039 (accessed on 8 April 2026).

[8] XIE, Z. "Regulating algorithmic decision: focusing on the right to explanation of algorithm", Modern Law Science, 2020, vol. 42, no. 1, pp. 179–193. Available at: https://www.scirp.org/reference/referencespapers?referenceid=3222488 (accessed on 8 April 2026).

[9] INTERIM MEASURES FOR THE MANAGEMENT OF GENERATIVE ARTIFICIAL INTELLIGENCE SERVICES, 2023. Available at: https://www.gov.cn/zhengce/zhengceku/202307/content_6891752.htm (accessed on 8 April 2026).

[10] XU, J. "Opening the 'black box' of algorithms: Regulation of algorithms in China", Communication Research and Practice, 2024, vol. 10, no. 3, pp. 288–296. https://doi.org/10.1080/22041451.2024.2346415

European Union places greater emphasis on data privacy and citizen protection, while the United States leans more toward data sovereignty and industrial application. China, by contrast, places greater emphasis on state-led data governance and digital sovereignty[11]. It should be made clear, however, that this article does not seek to develop a comparative analysis. It discusses only the normative basis and institutional position of the right to explanation in the platform context within the framework of Chinese law.

In China, Article 24 of the Personal Information Protection Law of the People's Republic of China (PIPL)[12], the Provisions on the Administration of Algorithm-generated Recommendations for Internet Information Services (Algorithm Recommendation Provisions)[13], the Regulations on Network Data Security Management (Network Data Regulations)[14], the Provisions on the Administration of Deep Synthesis Internet Information Services (Deep Synthesis Provisions)[15] and the Measures on the Labeling of AI-generated and Synthesized Content (AI Labeling Measures)[16] have already made arrangements on explanation duties, users' right to know, options to close or refuse processing, complaint and feedback mechanisms, and related responsibilities in relation to automated decision-making, algorithm recommendation, later rights realization, and content recognizability[17]. This shows that Chinese law does not lack a normative basis for explanation-related requirements. On the contrary, explanation has already entered platform algorithm governance as an institutional requirement.

But this does not mean that Chinese law has already formed a unified, complete, and actionable system of the right to explanation[18]. Existing rules are still more fragmented, contextual, and embedded in character[19]. In different risk settings, they separately provide for explanation, labeling, closure, complaint, deletion, and correction. But they still do not clearly establish a coherent chain of rights[20]. For this

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[11] BISSON, C.; GIRON, A.; VERIN, G. "A comparative analysis with machine learning of public data governance and AI policies in the European Union, United States, and China", Journal of Intelligence Studies in Business, 2023, vol. 13, no. 2, pp. 61–74. https://doi.org/10.37380/JISIB.V13I2.1084

[12] PERSONAL INFORMATION PROTECTION LAW OF THE PEOPLE'S REPUBLIC OF CHINA, 2021. Available at: http://en.npc.gov.cn.cdurl.cn/2021-12/29/c_694559.htm (accessed on 8 April 2026).

[13] PROVISIONS ON THE ADMINISTRATION OF ALGORITHM-GENERATED RECOMMENDATIONS FOR INTERNET INFORMATION SERVICES, 2021. Available at: https://www.cac.gov.cn/2022-01/04/c_1642894606364259.htm (accessed on 8 April 2026).

[14] REGULATIONS ON NETWORK DATA SECURITY MANAGEMENT, 2024. Available at: https://www.gov.cn/zhengce/zhengceku/202409/content_6977767.htm (accessed on 8 April 2026).

[15] PROVISIONS ON THE ADMINISTRATION OF DEEP SYNTHESIS INTERNET INFORMATION SERVICES, 2022. Available at: https://www.gov.cn/zhengce/zhengceku/2022-12/12/content_5731431.htm (accessed on 8 April 2026).

[16] MEASURES ON THE LABELING OF AI-GENERATED AND SYNTHESIZED CONTENT, 2025. Available at: https://www.nrta.gov.cn/art/2025/3/14/art_113_70340.html (accessed on 8 April 2026).

[17] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications", Singapore Journal of Legal Studies, 2024, pp. 276–305. Available at: https://law.nus.edu.sg/sjls/wp-content/uploads/sites/14/2024/08/A0206_WangMengLu_1-30.pdf (accessed on 8 April 2026).

[18] LIN, H.; WU, H. "A right to an explanation of algorithmic decision-making in China", Hong Kong Law Journal, 2022, vol. 52, no. 3, pp. 1163–1191. https://doi.org/10.2139/ssrn.4856111

[19] YANG, J. "The public-private law distinction and cooperation in the scenario-based allocation of the right to algorithm explanation: From the perspective of Habermas' public sphere theory", Journal of Central South University (Social Sciences), 2026, vol. 32, no. 1. https://zndxsk.csu.edu.cn/info/1244/5436.htm (accessed on 3 June 2026).

[20] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and

reason, discussion of the right to explanation still faces three related legal questions that have not yet been fully clarified.

First, the threshold for triggering the duty to explain is unclear. Existing rules repeatedly refer to "significant impact on users' rights and interests" or "substantial impact," but the concrete meaning of that threshold in the platform context remains uncertain[21]. It is still unclear whether the duty to explain should be limited to purely automated decisions, or should also cover recommendation, ranking, review, tagging, and account management that substantially affect users' situation.

Second, the minimum standard of explanation remains unclear. Existing law already requires transparency, prominent notice, and disclosure of basic principles, purposes, and operating mechanisms. But there is still no unified standard for how much explanation is enough to support a user response[22]. If platforms can satisfy the duty by giving only abstract and standardized statements, the right to explanation may collapse into merely formal transparency[23].

Third, the procedural link between explanation and later mechanisms remains unclear. Even if a user obtains some explanation, this does not necessarily mean that the user has actual capacity to choose, object, or seek remedies[24]. After explanation, can the user close the relevant processing, raise a targeted objection, request human review, ask for correction or deletion, or enter other remedial procedures? Current rules contain some scattered arrangements, but they still do not form a clear, coherent, and operable overall structure[25].

Table 1. Core problems in research on the right to explanation and this article's response path.

Core problem	**Current state of the law**	**This article's response path**	**Corresponding sections**
The threshold for triggering the duty to explain is unclear	Existing rules repeatedly refer to "significant impact on users' rights and interests" or "substantial impact," but the concrete scope of application in the platform context remains unclear	Defines the triggering threshold as a substantial impact on users' data rights or related legal position, and further distinguishes among different degrees of impact	6.1
The minimum standard of explanation content is unclear	Existing law requires transparency, prominent notice, and disclosure of basic principles, purposes, and operating mechanisms, but there is still no unified minimum standard of explanation	Proposes a minimum standard of explanation "sufficient to support the exercise of later rights," and specifies the minimum content that explanation should cover	6.2

implications". 2024. Ibid.

[21] YANG, J. "The public-private law distinction and cooperation in the scenario-based allocation of the right to algorithm explanation: From the perspective of Habermas' public sphere theory". 2026. Ibid.

[22] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

[23] HONG, J.; CHANG, J. "Transparency means trust? User perception and trust paradox of platform algorithm transparency practice", News and Writing, 2025, no. 9, pp. 31–45. Available at: https://xwcbpl.whu.edu.cn/xljy/2026-05-07/322.html (accessed on 8 April 2026).

[24] BAYAMLIOGLU, E. "The right to contest automated decisions under the General Data Protection Regulation: Beyond the so-called 'right to explanation'", Regulation & Governance, 2021, vol. 16, no. 4, pp. 1084–1105. https://doi.org/10.1111/rego.12391

[25] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

Core problem	**Current state of the law**	**This article's response path**	**Corresponding sections**
The procedural connection between explanation and later mechanisms is unclear	Existing rules contain institutional nodes such as explanation, closure, complaint, correction, and deletion, but they have not yet formed a clear, coherent, and operable overall structure	Defines the right to explanation as a preliminary procedural right and reconstructs its procedural connection with choice, objection, and remedy	4.3, 5.1–5.4, 6.3–6.5

Note: As Table 1 shows, the concern of this article is not simply whether Chinese law recognizes a right to explanation, but how the right to explanation should be institutionally positioned in the platform context and how it should be connected with later mechanisms. Source: created by the authors.

The concern of this article is therefore not simply whether Chinese law recognizes a right to explanation. That question is no longer sufficient to capture the current debate. The real questions are these: in the platform context, what kind of right should the right to explanation be understood as; why is it important yet insufficient; and how, on the basis of the fragmented rules that already exist in Chinese law, should it be reconstructively connected with later mechanisms of choice, objection, and remedy?

These questions are not separate technical defects, but three connected points at which the current normative framework remains unstable. Table 1 therefore summarizes the three core problems, the current state of the law, and the response path that this article develops in the later sections.

1.3. Literature debate, core argument, and contribution

There has already been substantial research on the right to explanation. Existing studies can be roughly divided into several paths. Some understand the right to explanation as a transparency tool used to respond to the algorithmic black box. They stress its value in improving recognizability and intelligibility. Some understand it as an independent right that individuals may directly invoke, and focus on its legal basis and limits. Some other studies have already noticed that explanation is not the end of protection, and may be connected with objection, contestation, review, and remedy mechanisms[26]. At the same time, many studies also stress the practical limits of the right to explanation. They point out that trade secrets, technical complexity, users' capacity to understand, and enforcement costs all constrain the strength of explanation duties[27].

This article does not deny these advances. Nor does it claim that earlier studies never discussed the relation between explanation and later rights. Its difference and core argument lie elsewhere. In the intersecting context of Chinese law and platform governance, this article further defines the right to explanation as a preliminary procedural right. "Preliminary" does not mean that the right to explanation is unimportant. It means that the right does not itself complete protection. Its direct function is to enable users to identify the relevant processing, understand its basic reasons and effects, and on that basis realistically trigger later mechanisms of choice, objection, and remedy.

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[26] LIN, H.; WU, H. "A right to an explanation of algorithmic decision-making in China". 2022. Ibid.

[27] XIN, Q. "Questioning the right to explanation of algorithms", Seeking Truth, 2021, no. 3, pp. 101–110. Available at: https://link.oversea.cnki.net/doi/10.19667/j.cnki.cn23-1070/c.2021.03.011 (accessed on 8 April 2026).

This definition matters because it avoids both overestimating and underestimating the right to explanation. If the right is treated as a self-sufficient final right, it becomes too easy to mistake "the platform has explained" for "the user has been effectively protected." If its institutional value is denied simply because it cannot solve every problem directly, one overlooks the prior fact that under complete opacity users may not even be able to identify the object of the problem. This article therefore argues that the institutional significance of the right to explanation lies not in completing protection by itself, but in providing the necessary procedural condition for protection to begin.

Around this core argument, the contribution of this article has three main aspects.

First, the article does not stop at stating that the right to explanation is important. It further distinguishes between what the right can do and what it cannot do. The article argues that the right to explanation can reduce the invisibility of algorithmic processing. It can let users know that relevant processing has occurred and understand its basic reasons and effects. But it cannot automatically give users the capacity to change processing conditions, trigger formal review, or obtain correction and remedy. For this reason, the article rejects understanding the right to explanation as the end point of protection.

Second, the article does not simply place the right to explanation alongside later rights. It further structures the relation between explanation and choice, objection, and remedy as a triggering relation. In this article's view, choice, objection, and remedy are not substitutes for the right to explanation. Nor are they parallel mechanisms with no connection to it. The significance of the right to explanation lies precisely in giving these mechanisms, which might otherwise remain only on paper, a real object, direction, and reason for activation.

Third, the article does not equate the scattered rules in current law with an already formed complete system of rights. On the contrary, it expressly recognizes that Chinese law at present provides only a fragmented, contextual, and embedded normative basis. The "explanation-choice-objection-remedy" structure proposed in later sections is therefore not a simple description of the existing state of law. It is a limited and bounded normative reconstruction based on existing legal materials.

1.4. Research method and scope

This article adopts the method of doctrinal research. Its focus is not the technical mechanism of algorithms as such, nor the empirical measurement of user experience. It focuses instead on how current Chinese law understands and arranges explanation-related duties in the platform context, and how those duties are institutionally connected with later mechanisms for protecting users' data rights. The legal materials used in this article mainly include laws, administrative regulations, departmental rules, and related normative documents. In this sense, the research is both descriptive and reconstructive: it first identifies the existing normative nodes in Chinese law and then reconstructs their procedural connection within the limited platform context.

One clarification is necessary. This article does not attempt to build a general theory of data rights. Nor does it develop a general theory of platform governance or AI governance across the whole lifecycle. The term "protection of users' data rights" in this article does not mean that all related legal interests and institutions are placed within a boundless concept. It is limited to the platform context in which platforms use personal data for automated processing and thereby affect users' legal and factual position. Within that context, it serves as an operational analytical framework organized around the right to know, choice, objection, and remedy. It is only in this limited sense that the article discusses the institutional position of the right to explanation.

2. Literature review and conceptual clarification

2.1. Different approaches in existing research to the right to explanation

There has already been substantial research on the right to explanation. The real issue is not whether research exists. The real issue is that these studies are not in fact dealing with the same question. Without first separating these layers, the normative position of the right to explanation can easily be overstated and overextended.

The first line of research understands the right to explanation as a transparency tool for responding to the algorithmic black box. This approach stresses that platform-based automated processing creates serious information asymmetry. Users usually see only the result. They often cannot tell whether the processing took place, still less why the result was produced. On this view, the significance of the right to explanation lies first in reducing opacity and bringing the relevant processing into a range in which it can be identified, understood, and evaluated[28]. In this sense, the right to explanation is mainly understood as an arrangement for intelligibility, rather than as an independent trigger for later procedures.

The second line of research places more emphasis on the right-like nature of the right to explanation. On this view, the right to explanation is not merely a by-product of platform compliance duties, nor only a technical expression of the principle of transparency. It is a concrete right that may be claimed by individuals[29]. This line of research focuses more on whether the right to explanation has an independent status, what its legal basis is, how its boundaries should be drawn, and how it relates to automated decision-making, personal information processing, and platform accountability.

The third line of research has already noticed that explanation is not the end of protection. After receiving an explanation, users often still need to decide whether to accept the relevant processing, whether to raise an objection, whether to request review, or whether to enter a remedial process. For this reason, the right to explanation should not be understood simply as the endpoint of information disclosure. It should be placed back into a longer procedural chain[30]. Research in Chinese law has also begun to note that the duty to explain is often connected with platform accountability, procedural safeguards, and the realization of users' later rights, rather than existing in isolation[31].

The fourth line of research places more emphasis on the practical limits of the right to explanation. This research points out that platform algorithmic processing is dynamic, complex, and subject to ongoing optimization. Explanation is therefore difficult to reduce to a simple, stable, and linear account. At the same time, trade secrets, algorithm security, governance strategies, users' ability to understand, and compliance costs all constrain the scope and strength of the duty to explain[32]. The

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[28] ZHANG, E. "Background, logic and structure of the right to explanation of algorithmic decision-making in the age of big data", Legal Forum, 2019, vol. 34, no. 4, pp. 152–160. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2qkF0fQ1JK2ln7uCHbSm0IjXHhg0hr_Eag8XhYEDsg5VbgWanw3G_whfn_uQ_VUU2IA49J1yp-sbvUaeeiaU8U9CpH7zNuYTM_iKTgOhonAoNb3efucnlbsejfcP8CKMu0bLQXGINOWcU4UNDM2Nw5mlcxYanq2AFZbvNjxXWy1Tw==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[29] ZHANG, L. "Research on the right to explanation of commercial automated decision-making". 2018. Ibid.

[30] BAYAMLIOGLU, E. "The right to contest automated decisions under the General Data Protection Regulation: Beyond the so-called 'right to explanation'". 2021. Ibid.

[31] ZHANG, L. "The construction of algorithmic accountability in network platform regulation", Oriental Law, 2021, no. 3, pp. 22–40. Available at: https://link.oversea.cnki.net/doi/10.19404/j.cnki.dffx.20210430.009 (accessed on 8 April 2026).

[32] XIN, Q. "Questioning the right to explanation of algorithms". 2021. Ibid.

result is that the right to explanation cannot be designed as an unlimited right. Even if platforms increase transparency, this does not necessarily mean that users can fully understand the logic of the processing, or that they can thereby gain substantive trust or control.

The EU debate is useful here not because this article seeks to transplant the GDPR model into Chinese law, but because it clarifies the procedural function of explanation. Under the GDPR, information duties and access rights include meaningful information about the logic involved in automated decision-making, as well as the significance and envisaged consequences of such processing; Article 22 also connects solely automated decisions with safeguards such as human intervention, the expression of one's point of view, and contestation of the decision[33]. The Article 29 Working Party's GDPR guidelines likewise treat automated decision-making and profiling as processes that may be opaque and risky, and emphasize safeguards that allow affected persons to understand and challenge such processing[34]. More recently, Article 86 of the EU AI Act gives affected persons, in specified high-risk AI settings, a right to clear and meaningful explanations of the role of the AI system in the decision-making procedure and the main elements of the decision[35]. These materials show that explanation becomes legally significant when it supports later contestation, review, or remedy. Chinese law follows a different path. It does not provide a unified explanatory-right framework comparable to a single GDPR-centered model. Instead, explanation-related requirements are distributed across rules on automated decision-making, algorithm recommendation, network data processing, deep synthesis, and AI-generated content labeling. For this reason, the contribution of this article is not to import the EU model, but to reconstruct, within Chinese law, a procedural structure in which explanation serves as the entry point for choice, objection, and remedy.

These studies provide an important basis for this article. But they still leave two questions insufficiently resolved. First, although the importance of the right to explanation has been repeatedly stressed, its normative position within the overall structure of rights protection remains unclear. Second, although some studies have noticed the relation between explanation and later mechanisms, this relation still largely remains at the level of general suggestion. It has not yet been further structured in the intersecting context of Chinese law and the platform setting. This is the point on which this article seeks to advance the discussion.

2.2. Why the right to explanation should be defined as a preliminary procedural right

This article does not deny the importance of the right to explanation. On the contrary, it is precisely because the right to explanation is important that its normative position needs to be defined more accurately. The question is what kind of right it actually is.

If the right to explanation is understood as a final right, one may too quickly conclude that once the platform provides an explanation, the duty of protection is largely complete. But this understanding does not hold. Explanation does not itself

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[33] REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, 2016, arts. 13–15, 21–22 and recital 71. Available at: https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng (accessed on 10 May 2026).

[34] ARTICLE 29 DATA PROTECTION WORKING PARTY. "Guidelines on Automated individual decision-making and Profiling for the purposes of Regulation 2016/679 (WP251rev.01)", 2018. Available at: https://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612053 (accessed on 10 May 2026).

[35] REGULATION (EU) 2024/1689 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, 2024, art. 86 and recital 171. Available at: https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng (accessed on 10 May 2026).

change the conditions of processing. It does not itself revoke an adverse result. Nor does it itself complete correction, redress, or compensation. Explanation addresses the problem of enabling the user to know and understand. It does not address the problem of completing later protection on the user's behalf[36]. If explanation itself is treated as complete protection, protection will ultimately be reduced to formal transparency.

Conversely, it is also mistaken to deny the institutional value of the right to explanation simply because it cannot complete protection on its own. Without explanation, users may not even be able to identify the object of the problem. If users do not know whether the relevant processing has taken place, and do not know what factors produced the result, they will find it difficult to decide whether they should opt out, object, or seek relief[37]. In that situation, later rights may exist at the normative level, but they will still be difficult to trigger effectively in practice.

The right to explanation is therefore neither a marginal arrangement that can be dispensed with nor a final right that can complete the whole task of protection on its own. A more accurate understanding is that it is a preliminary procedural right. "Preliminary" does not mean that the right to explanation is less valuable than other rights. It means that its institutional function is one of triggering and connecting. It provides the object, direction, and conditions for the real exercise of later rights. More specifically, the right to explanation is better understood as a preliminary procedural right because its direct function is not to deliver the final outcome, but to open the later procedure. Only after users identify the relevant processing and understand its basic reasons and possible effects can they go on to make a choice, raise an objection, request review, or seek relief.

Defining the right to explanation as a preliminary procedural right has another important effect. It helps avoid two mistakes at the same time. The first is to overestimate the right to explanation by treating explanation itself as protection itself. The second is to underestimate it by treating it as dispensable simply because it cannot complete protection on its own[38]. The first mistake reduces protection to formal transparency. The second ignores the basic conditions on which the triggering of protection depends. The purpose of the preliminary positioning is precisely to avoid these two errors.

In this article, the term "preliminary procedural right" is therefore not used as an already settled statutory category expressly named in Chinese law. It is a normative-doctrinal concept reconstructed from existing legal materials. Its theoretical basis lies in the idea that legal protection does not depend only on final substantive outcomes, but also on procedures through which affected persons may obtain reasons, participate in the formation or review of decisions, and activate later remedies[39]. Procedural fairness theory also shows that affected persons need an

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[36] BAYAMLIOGLU, E. "The right to contest automated decisions under the General Data Protection Regulation: Beyond the so-called 'right to explanation'". 2021. Ibid.

[37] ZHANG, X. "Research on the right to explanation of automated decision-making and algorithm governance", Peking University Law Journal, 2019, vol. 31, no. 6, pp. 1425–1445. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2ooJTq3bBpKIG0GksmkCQQGUaQNH4ga2a0MwPnR40TzfDUKXg9RWFNJXm2ZA3q8sjEZOnvpJSn420xLie7wcxx1USZCY1gGdgTMsKMBykREJgl2kkIz0R0PXnrvp5zXzrRs942LJ6HjgggY4SE1ismLUkwDT-Aha7H3pRVhltXTow==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[38] DING, X. "On the rights of data producers", Journal of Comparative Law, 2023, no. 3, pp. 14–25. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=5ZfW7CBA1F8Xl9L6hVTktgUdpr9uiNEJsxXqMoGl4MJcg0gLJIvaTbL3b2r7ajLT4HmVxBydU49yIQ83zhvysFCjduwNpf_evd4MJrRjLTGu5egigqdGlW6ZUbCsNkjQid3fB7Dt-TXP2BJt3paHBGMSdWDsfc6LefU-H0QzSUa4b7KKpXIqOQ==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[39] FULLER, L. L. "The Forms and Limits of Adjudication", Harvard Law Review, 1978, vol. 92, no.

intelligible opportunity to understand the basis of an adverse decision or process before they can challenge it in a meaningful way[40]. Applied to the platform context, this means that users cannot realistically exercise later rights unless they first know whether automated processing has occurred, what basic factors affected the result, and how the result may affect their legal or factual position. The right to explanation is preliminary because it precedes later protective mechanisms, and procedural because its immediate function is to open access to those mechanisms rather than to determine the final substantive result.

2.3. Why choice, objection, and remedy are included in the operational framework of "protecting users' data rights"

This article uses the term "protection of users' data rights," but it uses it in a limited sense. It does not attempt to construct a general theory of data rights. Nor does it claim that all interests related to platform governance naturally belong to data rights. There is continuing debate over whether personal data should be understood as a matter of personality interests, control interests, or an object with limited proprietary attributes[41]. An unlimited understanding of this kind is neither necessary nor conceptually clear.

Cautiously speaking, choice, objection, and remedy do not purely belong to data rights at every level of legal theory. They may also involve consumer protection, the protection of personality interests, procedural safeguards, and public-law duties within platform governance[42]. This article does not avoid that point. On the contrary, it is precisely because of this overlap that it is necessary to explain further why they are still included here within the framework of the protection of users' data rights. Debates on the hierarchy of data entitlements, as well as on the rights and duties between data providers and data processors, both show that "data rights" is not a concept with naturally clear boundaries and no internal disagreement[43]. Especially in the era of intelligent computing, the ways in which data interests are realized have become increasingly complex. This further shows that "data rights" is not a concept with naturally clear boundaries that can be fully covered by a single logic of right allocation[44].

This article focuses on choice, objection, and remedy as the three main later

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2, pp. 353–409. https://doi.org/10.2307/1340368

[40] GALLIGAN, D. J. Due Process and Fair Procedures: A Study of Administrative Procedures. Oxford: Clarendon Press, 1996. https://doi.org/10.1093/acprof:oso/9780198256762.001.0001

[41] CAO, X. "The property rights of personal data", Science of Law: Journal of Northwest University of Political Science and Law, 2024, no. 5, pp. 50–58. Available at: https://link.oversea.cnki.net/doi/10.16290/j.cnki.1674-5205.2024.05.011 (accessed on 8 April 2026).

[42] WANG, L. "On the rights of data producers", Law and Social Development, 2023, vol. 29, no. 6, pp. 36–57. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2pWDvjkvOsHl5ZDKEe8pxKMcbS_jpquiYFFTFALBz2HAFYleQc5mlEVjvgZRvDe0FSyU6oxuKaBtBrBkIiOj_EkiRH0UlKr-LNmB4GC1vAlFo-8v1C4CjLev8EFKFk2WiTnZwlLCUxRC2rx7dYRxQfQzzSFVnZbpEWJxmXR94NAyg==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[43] SHEN, W. "On the hierarchy of data property rights system: The 'three-three system' of data right confirmation", China Legal Science, 2023, no. 4. Available at: https://link.oversea.cnki.net/doi/10.14111/j.cnki.zgfx.2023.04.001 (accessed on 8 April 2026).

[44] HE, Y. "Data rights reflection and dualistic reconstruction in the era of intelligent computing: Based on the investigation of the evolution of data value realization path", Journal of Beijing Institute of Technology: Social Sciences Edition, 2025, advance online publication. Available at: https://link.oversea.cnki.net/doi/10.15918/j.jbitss1009-3370.2025.2277 (accessed on 8 April 2026).

mechanisms after explanation, not because they exhaust all user rights in the platform context, but because they correspond to the three core legal functions that arise after explanation. Choice addresses whether the user can affect whether the relevant processing continues. Objection addresses whether the user can challenge a specific processing activity. Remedy addresses whether an adverse consequence that has already occurred can be corrected, reduced, or brought to an end[45]. These three mechanisms differ in nature, but together they form the smallest and most central group of later mechanisms after explanation.

In other words, this article selects these three not in order to derive from scattered rules a complete chain of rights that is already fully formed in current law. Rather, it does so because, in the platform context where personal data is used for automated processing and users' legal and factual position is affected, these three mechanisms best show how protection continues after explanation. If explanation cannot affect whether processing continues, it cannot lead to choice. If explanation cannot support a challenge to a specific processing activity, it cannot lead to objection. If explanation cannot provide a factual basis for correcting adverse consequences, it cannot lead to remedy[46]. It is in this sense that this article treats these three as the key later mechanisms after explanation.

This does not mean that current law has already clearly constructed explanation, choice, objection, and remedy into a unified, complete, and actionable overall structure of rights[47]. What current law provides is still a number of normative nodes scattered across different rules. For example, Article 24 of the PIPL[48] covers requests for explanation and refusal of decisions made solely by automated decision-making. The Algorithm Recommendation Provisions[49] cover explanation, non-personalized options, closure mechanisms, and complaint feedback. The Network Data Regulations[50] further cover correction, deletion, restriction of processing, withdrawal of consent, and complaint and reporting channels[51]. This article therefore does not simply rewrite these scattered rules into a complete chain already formed in current law. Rather, it draws from them the later combination of mechanisms that is most explanatory.

For the same reason, this article includes choice, objection, and remedy within the framework of protecting users' data rights not in order to erase the legal differences between them, and not in order to claim that they all naturally belong to one single category of data rights. It does so in order to show that, in the platform data-processing context, if the right to explanation is to play a real role, it cannot remain at the level of identification and explanation alone. It must go further and lead to the three core later mechanisms of affecting processing, challenging processing, and correcting consequences.

The later discussion in this article of "explanation-choice-objection-remedy" is therefore developed only in this limited sense, as a normative reconstruction rather than a simple description of an already completed system in current law. This also explains why the right to explanation is preliminary: it does not absorb these later

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[45] BAYAMLIOGLU, E. "The right to contest automated decisions under the General Data Protection Regulation: Beyond the so-called 'right to explanation'". 2021. Ibid.
[46] WANG, L. "On the rights of data producers". 2023. Ibid.
[47] YANG, J. "The public-private law distinction and cooperation in the scenario-based allocation of the right to algorithm explanation: From the perspective of Habermas' public sphere theory". 2026. Ibid.
[48] PERSONAL INFORMATION PROTECTION LAW OF THE PEOPLE'S REPUBLIC OF CHINA. 2021. Ibid.
[49] PROVISIONS ON THE ADMINISTRATION OF ALGORITHM-GENERATED RECOMMENDATIONS FOR INTERNET INFORMATION SERVICES. 2021. Ibid.
[50] REGULATIONS ON NETWORK DATA SECURITY MANAGEMENT. 2024. Ibid.
[51] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

mechanisms, but provides the procedural condition for their actual use.

2.4. The position of platform algorithm governance in this article: An institutional setting, not the overall object

Although this article takes platform algorithm governance as its research background, it does not attempt to develop a general theory of platform algorithm governance. This limitation is necessary both because of limits of space and method, and because the argument needs to remain focused. Without such a limitation, the article could easily be pulled toward a broader general discussion of AI governance, platform governance, or digital social governance, and the precision of the argument would be weakened.

In this article, "platform algorithm governance" mainly refers to the institutional setting in which platforms use automated processing such as recommendation, ranking, profiling, review, tagging, content distribution, and account management to continuously affect users' conditions of participation, the scope of information they can access, and the way outcomes are formed[52]. This setting is introduced not in order to discuss every issue in platform governance, but because it is precisely in this setting that the right to explanation gains its practical meaning. Without the platform's continuous control over data and procedures, the issue of the right to explanation would not arise with its present intensity[53].

For this reason, this article does not treat "the platform" as an abstract and unified actor bearing unlimited responsibility across the whole lifecycle of AI. It focuses only on those parts of the process in which the platform directly interacts with users and has actual control over, or a significant effect on, the formation of outcomes for them[54]. In other words, platform algorithm governance plays only a limited role in this article. It provides the specific institutional setting for the emergence, limits, and reconstruction of the right to explanation, but it does not replace the article's discussion of the normative position of the right itself.

This limitation also helps avoid a mismatch in the object of research. What this article truly discusses is not whether platform algorithm governance itself is justified, but how the right to explanation should be understood within that governance setting. More specifically, the article asks why the right to explanation is necessary, why it is insufficient, and why it should be connected with choice, objection, and remedy in a layered structure of protection when, under Chinese law, platforms use personal data for automated processing and thereby affect users' situation.

3. The fragmented normative basis of the right to explanation in Chinese law

3.1. The core statutory basis in automated decision-making

In Chinese law, the clearest statutory basis of the right to explanation still comes from Article 24 of the PIPL[55]. More precisely, Article 24 sets out three layers of

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[52] YAO, J. "Differential generation paths of the data of the platform, right allocation and regulation of competition law", Peking University Law Review, 2021, vol. 22, no. 2, pp. 1–17. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2rLvDv4FlmMroop-7CoCQZ44jU3Xd1_oiD42_mmk6tQoRFi4mTLAAujRbl5XLsHJXLyXT1NG8qMpCoe3h3nnmub91OSP7K1CC7LdFwjoi1MX_NcCwrjNtWq2OnzdYZzJ2WXXQUNx_6Bt0JIA_Z06_t1oWBpoZWeRUNb4RYV6sLPOw==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[53] XIE, Z. "Regulating algorithmic decision: focusing on the right to explanation of algorithm". 2020. Ibid.

[54] ZHANG, L. "The construction of algorithmic accountability in network platform regulation". 2021. Ibid.

[55] PERSONAL INFORMATION PROTECTION LAW OF THE PEOPLE'S REPUBLIC OF CHINA. 2021. Ibid.

requirements in the same provision. First, where personal information is used for automated decision-making, the transparency of decision-making and the fairness and justice of the result shall be ensured, and unreasonable differential treatment of individuals in transaction prices and other transaction conditions shall not be imposed. Second, where automated decision-making is used for information push or commercial marketing directed at individuals, options that are not based on their personal characteristics shall also be provided, or convenient means of refusal shall be offered. Third, where a decision made through automated decision-making has a significant impact on an individual's rights and interests, the individual has the right to request an explanation from the personal information processor, and also has the right to refuse a decision made solely through automated decision-making by that processor[56]. In other words, Article 24 does not, in a general sense, abstractly confirm a uniformly named "right to explanation." Instead, in the context of automated decision-making, it places transparency, fairness, justice, non-personalized or refusal options, and, in cases of decisions with significant impact, the right to request an explanation and the right to refuse purely automated decisions within the same normative structure[57].

This provision is important in two respects. First, it shows that explanation is not merely an ethical requirement and has already entered formal law. Second, it does not isolate the duty to explain. Instead, it places that duty alongside the triggering threshold of "significant impact" and the later right to "refuse a decision made solely through automated decision-making"[58]. In other words, Article 24 presents not an isolated duty of information notice, but a minimum structure of protection built around the risks of automated decision-making.

Still, this structure remains limited. What Article 24 addresses is the right to request an explanation and the right to refuse in the context of automated decision-making, rather than a unified rule for all forms of processing in platform algorithm governance[59]. It resolves the question of whether explanation-related requirements have a clear statutory basis in Chinese law. But it does not further resolve the minimum content of the duty to explain, the way the procedure should unfold, or the systematic connection between explanation and later objection, review, and remedy[60]. It is therefore better understood as the core starting point of explanation-related norms in Chinese law, rather than their complete endpoint.

3.2. Explanation, choice, and complaint mechanisms in the context of algorithm recommendation

If Article 24 of the PIPL provides the core statutory basis in the context of automated decision-making, the Algorithm Recommendation Provisions push that basis further into the concrete setting of platform governance[61,62]. More precisely, through at least Articles 16, 17, and 22, these Provisions connect explanation, disclosure, choice, closure, tag management, complaint and reporting channels, and feedback on results. If Article 7 and Article 28(2) are also taken into account, they

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[56] Ibid.
[57] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.
[58] Ibid.
[59] LIN, H.; WU, H. "A right to an explanation of algorithmic decision-making in China". 2022. Ibid.
[60] YANG, J. "The public-private law distinction and cooperation in the scenario-based allocation of the right to algorithm explanation: From the perspective of Habermas' public sphere theory". 2026. Ibid.
[61] PROVISIONS ON THE ADMINISTRATION OF ALGORITHM-GENERATED RECOMMENDATIONS FOR INTERNET INFORMATION SERVICES. 2021. Ibid.
[62] XU, J. "Opening the 'black box' of algorithms: Regulation of algorithms in China". 2024. Ibid.

further provide a more external layer of institutional support for platform accountability through duties concerning algorithm security, primary responsibility, and cooperation with supervision and inspection[63].

Three levels are especially important here. First, Article 16 requires providers of algorithm recommendation services to prominently inform users that they provide such services, and to disclose in an appropriate way the basic principles, purposes, and main operating mechanisms of those services[64]. The point here is not full disclosure of technical details. The point is to ensure that users at least know that the relevant processing is taking place, and know in general terms how it affects content presentation and outcome formation[65].

Second, Article 17 requires platforms to provide options that are not based on personal characteristics, or convenient options for turning off algorithm recommendation services, and to provide functions for selecting or deleting user tags. At the same time, where users' rights and interests are significantly affected, the platform must provide an explanation according to law and bear the corresponding responsibility[66]. This means that, in the platform context, explanation is not merely about "telling users what has happened." It is also institutionally linked to whether users continue to accept the relevant processing.

Third, Article 22 requires platforms to establish convenient and effective channels for user complaints and public complaints and reports, to clarify the handling process and feedback time limits, and to accept, handle, and return results in a timely manner[67]. This shows that, in the platform context, explanation does not end with explanation itself. It is already connected with later procedures.

For this reason, the significance of the Algorithm Recommendation Provisions is not limited to "specifying the duty to explain." Their more important function is to show that, in the platform context, explanation, choice, complaint, and responsibility are often linked together. Platforms cannot rely on algorithms to continuously shape users' informational situation and opportunity structure, while at the same time treating explanation as a one-time, standardized act that requires no later response[68].

Even so, it still cannot be said that Chinese law has thereby established a complete "explanation-choice-objection-remedy" chain of rights. The Algorithm Recommendation Provisions are indeed closer to platform reality than Article 24 of the PIPL. They also more clearly connect explanation with later mechanisms. But that connection remains contextual and rule-based, rather than general and systematic[69]. It shows that the connection has emerged. It does not show that the connection has already been completed.

3.3. Later rights realization mechanisms in network data processing rules

What the Network Data Regulations further supplement is not an abstract definition of the right to explanation itself, but the conditions for the realization of rights after explanation[70]. More precisely, Article 20 requires network data processors

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[63] PROVISIONS ON THE ADMINISTRATION OF ALGORITHM-GENERATED RECOMMENDATIONS FOR INTERNET INFORMATION SERVICES. 2021. Ibid.
[64] Ibid.
[65] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.
[66] PROVISIONS ON THE ADMINISTRATION OF ALGORITHM-GENERATED RECOMMENDATIONS FOR INTERNET INFORMATION SERVICES. 2021. Ibid.
[67] Ibid.
[68] XU, J. "Opening the 'black box' of algorithms: Regulation of algorithms in China". 2024. Ibid.
[69] YANG, J. "The public-private law distinction and cooperation in the scenario-based allocation of the right to algorithm explanation: From the perspective of Habermas' public sphere theory". 2026. Ibid.
[70] REGULATIONS ON NETWORK DATA SECURITY MANAGEMENT. 2024. Ibid.

that provide products and services to the public to establish convenient channels for complaints and reports concerning network data security, and to disclose information such as the methods for making such complaints and reports. Article 21 requires personal information processing rules to be centrally displayed, easily accessible, and placed in a prominent position, and also requires their content to include the methods and paths for access, copying, transfer, correction, supplementation, deletion, restriction of processing of personal information, account cancellation, and withdrawal of consent. Article 23 further requires requests for access, copying, correction, supplementation, deletion, restriction of processing, account cancellation, and withdrawal of consent to be handled in a timely manner, with convenient support paths, and without unreasonable conditions. Article 24 then requires, in situations where automated collection unavoidably collects unnecessary personal information, personal information obtained without lawful consent, or where accounts are cancelled, that personal information be deleted or anonymized, or, where this is technically difficult, that all processing other than storage and necessary security protection be stopped[71].

The importance of this layer of rules is that it places explanation back into a longer process of rights realization. Even if a platform has already provided an explanation of the relevant processing, that does not mean that protection has already been completed[72]. On the contrary, if users still cannot enter later procedures such as correction, deletion, restriction of processing, or withdrawal of consent after learning that the processing exists, explanation can easily remain at a merely formal level[73]. In this sense, the Network Data Regulations do not simply repeat the confirmation of the right to explanation. Rather, they strengthen the institutional arrangement for what later rights pathways should remain available after explanation. This further shows that explanation in Chinese law is not well understood as an endpoint. At least in the platform data-processing context, its institutional significance is always tied to the accessibility and exercisability of later rights. If a platform explains but does not provide later pathways, explanation itself can hardly become real protection.

At the same time, caution is still necessary. What these Regulations provide is a mechanism for the realization of later rights. That does not mean that they have already formed an expressly integrated and logically closed complete overall rights structure together with the right to explanation[74]. They strengthen the later part of the structure, but they do not explicitly join the whole chain together at the legislative level. For that reason, the structured connection argued for later in this article can only be understood as a normative reconstruction based on existing legal materials. It cannot be written as an institutional fact already completed by current law.

3.4. The path of "recognizability" in deep synthesis and AI-generated content labeling

Beyond automated decision-making and algorithm recommendation, the rules on deep synthesis and the labeling of AI-generated and synthesized content show another important path. In some settings, Chinese law does not respond to

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[71] Ibid.

[72] SHEN, W. "The right-obligation relationship between data providers and data processors", Journal of Comparative Law, 2024, no. 4. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2otPrQWl1qn-GkxJ7H0GSvNTpAtcnlKs_K5z-WxZ11Py-6RiEseaGLffsq006Q_b3L1phGrdC4UxUWxF5AjI-F15XB6RED2c0pnRynS4N9vhzH79Sx7TyrcdgqYk76isoKiDhAY78QIr3-M4OHjl073wvBXjUVDHRaWvROp8w09Xw==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[73] WANG, L. "On the rights of data producers". 2023. Ibid.

[74] YANG, J. "The public-private law distinction and cooperation in the scenario-based allocation of the right to algorithm explanation: From the perspective of Habermas' public sphere theory". 2026. Ibid.

algorithmic opacity by requiring platforms to fully explain internal logic. Instead, it uses labeling, prompts, and recognizability arrangements so that users can identify the nature of the relevant content or processing[75]. At the level of specific provisions, Article 17 of the Deep Synthesis Provisions requires prominent labeling in a reasonable position or area of generated or edited information content where deep synthesis content may cause public confusion or misidentification[76]. Article 3 of the AI Labeling Measures distinguishes between explicit labeling and implicit labeling. Article 4 provides the rules on explicit labeling for different forms of generated and synthesized content, including text, audio, images, video, and virtual scenes. Article 5 requires the addition of implicit labeling in file metadata. Article 6 then makes arrangements for how service providers that disseminate such content should verify file metadata and add prominent warning labels around released content[77]. In other words, what has been institutionalized here is no longer only the question of "whether to label," but also a supporting mechanism that combines explicit labeling, implicit labeling, and verification in the dissemination stage.

This point is very important. It shows that explanation-related rules in Chinese law do not always take the same form. In some settings, explanation may take the form of explaining the logic of processing, and in other settings, explanation is closer to an external arrangement of recognizability[78,79]. The forms are different, but the institutional goal is similar. In both cases, the point is to break the fully invisible condition in which users face technical processing. In other words, Chinese law does not respond to algorithmic opacity only through explanation in the narrow sense. It also responds through labeling, which is more external, lower in intensity, but more operable[80].

This further shows that explanation-related rules in Chinese law are strongly context-dependent. Different rules respond to different types of risk, and therefore adopt different kinds of response. Automated decision-making stresses requests for explanation under conditions of significant impact. Algorithm recommendation stresses explanation, closure, and complaint. Deep synthesis and AI-generated and synthesized content labeling place more emphasis on recognizability and the prevention of confusion. Precisely because of these differences, this article cannot directly describe these rules as if they already formed a completed and unified general-special structure.

To clarify this fragmented legal landscape, Table 2 sets out the main normative instruments discussed above, the provisions through which they operate, their functional position in this article, and the limitations that still prevent them from forming a complete explanatory-right structure.

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[75] XU, J. "Opening the 'black box' of algorithms: Regulation of algorithms in China". 2024. Ibid.
[76] PROVISIONS ON THE ADMINISTRATION OF DEEP SYNTHESIS INTERNET INFORMATION SERVICES. 2022. Ibid.
[77] MEASURES ON THE LABELING OF AI-GENERATED AND SYNTHESIZED CONTENT. 2025. Ibid.
[78] PROVISIONS ON THE ADMINISTRATION OF DEEP SYNTHESIS INTERNET INFORMATION SERVICES. 2022. Ibid.
[79] MEASURES ON THE LABELING OF AI-GENERATED AND SYNTHESIZED CONTENT. 2025. Ibid.
[80] ZHAO, J.; LU, R. "From Public Disclosure to Transparency: Risk Challenges and Governance Paths of Algorithmic Fairness", Jinan Journal (Philosophy & Social Sciences), 2023, vol. 45, no. 9, pp. 69–82. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=m07J8nP_wCHQg79PNlYDyaMtC4KtU_oFZz3n-ZLGgRS9VxxhbvMENt-2xTStZYKP7yu8lQDL_Dzc5UHlrPhno_7XQRmEazmwB3edaZ6Fr8R0GBUMHAjOh9FOfgL1TiYvGfZFx5hPzeU3xL3LxFMZAKy4WNGhfWhz7w135Xr2MnRLgbY6YSdUTg==&uniplatform=OVERSEA&language=CHS (accessed on 8 April 2026).

Table 2. Main institutional nodes of explanation-related rules in Chinese law.

Normative instrument	**Specific provision(s)**	**Main normative content**	**Functional position in this article**	**Main limitation**
Personal Information Protection Law of the People's Republic of China (PIPL)	Art. 24	Requires transparency, fairness, and impartiality in automated decision-making; provides non-personalized options or convenient refusal in information push and commercial marketing; grants the right to request an explanation and the right to refuse decisions made solely by automated decision-making where personal rights and interests are significantly affected	The core statutory starting point of explanation-related rules	Mainly focuses on automated decision-making and does not systematically regulate the minimum content of explanation, procedural unfolding, or the connection with later mechanisms
Provisions on the Administration of Algorithm-generated Recommendations for Internet Information Services	Arts. 16, 17, and 22 (read together with Art. 7 and Art. 28, para. 2 where relevant)	Requires prominent notice and disclosure of basic principles, purposes, and main operating mechanisms; provides non-personalized options, closure mechanisms, tag management, complaint, report, and feedback mechanisms	Brings explanation, choice, complaint, and platform responsibility into the concrete platform-governance setting	The connection has emerged, but it remains contextual and rule-based and has not yet become a general and systematic structure

Normative instrument	Specific provision(s)	Main normative content	Functional position in this article	Main limitation
Regulations on Network Data Security Management	Arts. 20, 21, 23, and 24	Requires complaint and reporting channels; public disclosure of rights-access paths in personal information processing rules; acceptance of requests for correction, deletion, supplementation, restriction of processing, withdrawal of consent, etc.; and deletion, anonymization, or cessation of processing in certain circumstances	Strengthens the realization mechanisms of later rights after explanation	What is reinforced is the "later stage" of protection; these rules are not expressly integrated with the right to explanation into a complete overall structure
Provisions on the Administration of Deep Synthesis Internet Information Services	Art. 17	Requires prominent labeling of deep synthesis content that may cause public confusion or misidentification	Shows the "recognizability" path among explanation-related rules	Mainly addresses recognizability and anti-confusion concerns rather than a narrow duty of explanation
Measures on the Labeling of AI-generated and Synthesized Content	Arts. 3–6	Distinguishes explicit and implicit labels, and regulates labeling and transmission-stage verification mechanisms for AI-generated and synthesized content	Further institutionalizes the path of recognizability	Belongs to labeling and verification arrangements and cannot be directly equated with a complete explanatory-right structure

Note: As Table 2 shows, current law already provides several relevant normative nodes, but these nodes have not yet been automatically integrated into a complete structure of rights. Source: created by the authors.

3.5. Fragmented normative basis and remaining normative coordination problems

In sum, Chinese law does not lack a normative basis for explanation-related requirements. On the contrary, from Article 24 of the PIPL, to the Algorithm Recommendation Provisions, to the Network Data Regulations, and the rules on deep synthesis and the labeling of AI-generated and synthesized content, requirements

relating to explanation, notice, labeling, closure, complaint, reporting, and the realization of later rights have already been formally incorporated into different institutional settings[81]. In this sense, the right to explanation in Chinese law is not a normative blank. It already has a clear institutional starting point.

But a more accurate judgment is that this basis is still fragmented, contextual, and embedded. Earlier comparative research has already shown that effective personal data protection does not depend on a single tool. It usually requires coordination among state regulation, international principles, technical rules, and self-regulation or co-governance, and this combination is clearly shaped by the institutional and social conditions of each jurisdiction[82]. In China, explanation-related arrangements are scattered across different risk settings, different types of rules, and different institutional objectives. They have not been clearly constructed as a uniformly named, clearly bounded, internally complete, and directly actionable system of rights. What current law provides is a number of related but not yet fully connected normative nodes, rather than a rights chain that has already been fully systematized.

The fragmented character of current law does not merely mean that explanation-related rules are distributed across different instruments. It also means that several normative coordination problems remain unresolved. At the level of explanation content, current rules require platforms to disclose basic principles, purposes, and operating mechanisms, but they do not clearly define the boundary between a meaningful explanation and the protection of algorithmic trade secrets, algorithm security, and other legally protected interests[83]. At the level of triggering conditions, the law refers to significant or substantial impact, but it does not provide a sufficiently concrete method for determining when ordinary platform processing becomes serious enough to trigger a stronger duty to explain[84]. At the level of procedural activation, a standardized explanation may formally satisfy a disclosure requirement, while still failing to provide users with enough information to raise a targeted objection, request human review, or seek remedy[85]. At the level of institutional review, existing rules still rely heavily on platform-designed complaint and feedback mechanisms, but they do not fully clarify how internal platform handling should be connected with record retention, regulatory inspection, judicial review, or other forms of external verification[86]. These coordination problems explain why the existing normative basis cannot be treated as a completed system of rights, and why the improvement of the right to explanation must move further toward triggering thresholds, minimum explanation standards, procedural connection, human review, platform accountability, and interest balancing.

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[81] DE JONGE, A. "Data privacy in China and Europe: Individual, collective, subjective, and objective perspectives", International Journal of Law and Information Technology, 2024, vol. 32, article eaae025. https://doi.org/10.1093/ijlit/eaae025

[82] WU, Y. "Personal data protection in e-government: Globalization or glocalization? A comparative study of the United States, Germany and China". Michigan State University, 2010. Available at: https://www.proquest.com/openview/df1464482448e1f5eeeab3363f00fc71/1?pq-origsite=gscholar&cbl=18750 (accessed on 8 April 2026).

[83] XIAO, J.; PENG, F. "Research on Standard for Determining the Secrecy of Algorithmic Trade Secrets", Standard Science, 2024, no. 5, pp. 67–73. https://doi.org/10.3969/j.issn.1674-5698.2024.05.010

[84] LIN, H.; WU, H. "A right to an explanation of algorithmic decision-making in China". 2022. Ibid.

[85] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

[86] SU, Z.; BENTLEY, B. L.; MCDONNELL, D.; CHESHMEHZANGI, A.; AHMAD, J.; ŠEGALO, S.; PEREIRA DA VEIGA, C.; XIANG, Y.-T. "China's algorithmic regulations: Public-facing communication is needed", Health Policy and Technology, 2023, vol. 12, no. 1, article 100719. https://doi.org/10.1016/j.hlpt.2022.100719

This is precisely why it is necessary to distinguish between "what already exists in current law" and "the normative reconstruction proposed in this article on the basis of those existing materials." For this reason, the "explanation-choice-objection-remedy" structure argued for later in this article cannot be understood as a simple description of the current legal position. It can only be understood as an interpretive and institutional development built on existing normative materials.

4. The necessity, limits, and preliminary positioning of the right to explanation

4.1. Why the right to explanation is necessary: It first addresses recognizability and intelligibility

The right to explanation is important not because it can complete protection on its own, but because without explanation, protection may not even begin[87]. In the platform context, automated processing such as recommendation, ranking, profiling, review, tagging, and account management continuously affects how users obtain information, use services, and receive outcomes. Users usually see only the outcome. They do not see how that outcome was formed[88]. If users know neither whether the relevant processing has taken place nor its basic reasons and possible effects, they will find it difficult to tell whether they are in a disadvantageous position, and even more difficult to decide how to respond.

The first value of the right to explanation therefore lies in breaking this condition of invisibility. At a minimum, it requires platforms to turn internal processing that was previously closed off into something users can identify, understand, and evaluate[89]. "Understanding" here does not mean that platforms must disclose all technical details. Nor does it mean that users must gain complete control over the internal operation of the model. It means that platforms must provide the minimum explanation necessary for users to identify the object of the problem. Only in this sense can the right to explanation truly enter the field of legal evaluation.

The second value of the right to explanation lies in giving direction to later judgment. When users face an adverse outcome, what they often lack is not abstract information in a general sense, but a basic understanding of what exactly has happened[90]. Without that basic understanding, users cannot tell whether the issue comes from recommendation logic, ranking rules, tag classification, review standards, or some other form of automated processing. The right to explanation is therefore not merely a supplement of information. It is a precondition for the real triggering of later choice, objection, and remedy.

The importance of the right to explanation is not limited to the individual level. The more platform power relies on automated processing, the more platform conduct tends to appear as a situation in which the result is visible but the process is not. In that situation, if the law cannot enter the process by which the result was formed, it becomes difficult to judge whether the platform has affected users' rights and interests in a proper way[91]. The right to explanation cannot eliminate the information

[87] BAYAMLIOGLU, E. "The right to contest automated decisions under the General Data Protection Regulation: Beyond the so-called 'right to explanation'". 2021. Ibid.
[88] REVIGLIO, U.; SANTONI, G. "Governing platform recommender systems in Europe: Insights from China", Global Jurist, 2023, vol. 23, no. 2, pp. 151–181. https://doi.org/10.1515/gj-2023-0013
[89] LIU, Y.; DENG, L. "Efficiency and equity in the platform economy: A study based on the algorithm 'taking the middle' reform", Management World, 2026, no. 2. https://doi.org/10.19744/j.cnki.11-1235/f.2026.0026
[90] BAYAMLIOGLU, E. "The right to contest automated decisions under the General Data Protection Regulation: Beyond the so-called 'right to explanation'". 2021. Ibid.
[91] ZHANG, L. "The construction of algorithmic accountability in network platform regulation". 2021. Ibid.

asymmetry and power asymmetry between platforms and users. But it at least makes that asymmetry no longer wholly invisible. In this sense, the right to explanation serves not only individual response, but also the minimum operation of legal evaluation and institutional accountability.

4.2. Why the right to explanation is insufficient: It cannot by itself complete the protection of users' data rights

The right to explanation is important, but importance does not mean sufficiency. What it directly addresses is recognizability and intelligibility, not complete protection[92]. Even if a platform has provided some explanation, that does not mean that the user has thereby gained the real ability to change the conditions of processing, trigger formal review, or obtain correction and remedy. This is exactly where the limits of the right to explanation must be made clear.

First, explanation does not necessarily mean real understanding. What platforms provide may well be abstract, standardized, and template-based statements. Even if users know that the platform uses recommendation, ranking, or profiling, they still may not be able to tell which factors have actually affected their specific situation[93]. In other words, being given an explanation does not mean being sufficiently explained to. Nor does being able to read an explanation mean truly understanding it. If legal evaluation stops at whether the platform has provided some statement, the right to explanation can easily collapse into formal transparency rather than substantive protection[94].

Second, the right to explanation itself faces multiple structural limits. Platform algorithmic processing depends heavily on data input, model iteration, dynamic optimization, and contextual adjustment. Many processing operations are difficult by nature to reduce to a simple, stable, and linear explanation[95]. At the same time, trade secrets, algorithm security, platform governance strategies, and risk-control logic all limit both what platforms are willing to explain and what they are able to explain[96]. The duty to explain therefore cannot expand without limit. If explanation is required without clear boundaries, it will not only be difficult to implement, but may also harm other legitimate interests.

Third, the environment in which the right to explanation operates is not neutral. Platforms usually control the processing flow, the mode of explanation, the procedural entry point, and the pace of response at the same time. The explanations users see, the channels through which they ask questions, and the ways in which they receive responses are all often pre-arranged by the platform[97]. The right to explanation therefore does not operate in an open, neutral, and balanced procedural environment. It operates in a procedural space shaped in advance by the platform[98]. Even if the

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[92] EDWARDS, L.; VEALE, M. "Enslaving the algorithm: from a 'right to an explanation' to a 'right to better decisions'?", IEEE Security & Privacy, 2018, vol. 16, no. 3, pp. 46–54. https://doi.org/10.1109/MSP.2018.2701152

[93] PENG, L. "Illusion, prisoner of algorithm, and transfer of rights: The new risks in the age of data and algorithm". 2018. Ibid.

[94] KAUSHAL, R.; VAN DE KERKHOF, J.; GOANTA, C.; SPANAKIS, G.; IAMNITCHI, A. "Automated Transparency: A Legal and Empirical Analysis of the Digital Services Act Transparency Database", In: The 2024 ACM Conference on Fairness, Accountability, and Transparency (FAccT '24), Rio de Janeiro, Brazil, 3–6 June 2024. New York, NY: ACM, 2024, 19 pp. https://doi.org/10.1145/3630106.3658960

[95] REVIGLIO, U.; SANTONI, G. "Governing platform recommender systems in Europe: Insights from China". 2023. Ibid.

[96] XIN, Q. "Questioning the right to explanation of algorithms". 2021. Ibid.

[97] ZHANG, L. "The construction of algorithmic accountability in network platform regulation". 2021. Ibid.

[98] REVIGLIO, U.; SANTONI, G. "Governing platform recommender systems in Europe: Insights from China". 2023. Ibid.

platform formally allows requests for explanation and later complaints, users may still be unable to move the procedure forward in any real sense because the entry point is hidden, the operation is complex, or the response is template-based.

Finally, users themselves face obvious limits. Users usually encounter explanations in concrete use settings. Their time is limited. Their attention is limited. Their ability to understand is also limited. For most users, the issue is not only whether the platform has said something, but whether they can decide what to do on that basis. If explanation cannot be turned into an operable later path, then even where explanation exists, it may still fail to produce real protection.

4.3. The legal positioning of the right to explanation as a preliminary procedural right

Since the right to explanation cannot complete protection on its own, the issue is no longer whether it should be recognized, but how it should be positioned. This article argues that the more accurate position is this: the right to explanation is a preliminary procedural right.

"Preliminary" does not mean that the right to explanation is less valuable than choice, objection, or remedy. Nor does it mean that it has only an accessory role. The key point lies in its institutional function. The direct role of the right to explanation is not to finally correct an adverse outcome, but to provide the object, direction, and triggering conditions for the real exercise of later rights[99]. What it opens is not the end of protection, but the beginning of protection.

Defining the right to explanation as a preliminary procedural right helps first to correct a common mistake, namely treating explanation itself as protection itself[100]. If the right to explanation is treated as a final right, one may too quickly conclude that once the platform has explained, its legal duty has been largely fulfilled. But that understanding ignores a basic fact. What users really need is not merely to know that processing exists. They need to be able, on that basis, to decide whether to opt out, whether to object, whether to request review, and whether to seek remedy. If explanation cannot enter later procedure, it remains only at the entrance to protection, not at its completion.

This positioning also helps avoid another mistake, namely underestimating the institutional value of the right to explanation because it cannot solve every problem by itself[101]. If users do not know what kind of processing they face, what logic produced the result, or what adverse effect has occurred, they can hardly make a targeted request to opt out, raise an objection, or seek remedy[102]. The significance of the preliminary position lies in placing the right to explanation back within the structure of rights. It does not replace later mechanisms, but makes them accessible, directed, and operable.

More specifically, the right to explanation is better understood as a preliminary procedural right rather than a general abstract right because it is naturally tied to procedural development. Once it is exercised, it does not merely provide more information. It changes the procedural position between users and platforms. Users are no longer merely those who bear the result. They become persons who can identify the object, raise questions, demand a response, and push later procedure forward. In this sense, the right to explanation is not an outcome-based right. It is a

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[99] BAYAMLIOGLU, E. "The right to contest automated decisions under the General Data Protection Regulation: Beyond the so-called ‘right to explanation’". 2021. Ibid.

[100] Kaminski, M.E.; Malgieri,G. "Algorithmic impact assessments under the GDPR: producing multi-layered explanations", International Data Privacy Law, 2021, vol. 11, no. 2, pp. 125–144. https://doi.org/10.1093/idpl/ipaa020

[101] DING, X. "On the rights of data producers". 2023. Ibid.

[102] DE JONGE, A. "Data privacy in China and Europe: Individual, collective, subjective, and objective perspectives". 2024. Ibid.

procedural right that opens the door to later procedure.

4.4. Summary: Important but insufficient, preliminary but not accessory

This section has shown that the right to explanation is important because it makes platform-based automated processing recognizable and intelligible, but insufficient because it does not itself change processing conditions, review outcomes, or provide remedies. Its proper legal position is therefore preliminary and procedural. It opens access to later mechanisms without replacing them. The next section turns to how this preliminary right connects with choice, objection, and remedy.

5. From normative nodes to a protective structure: The legal connection between the right to explanation and later mechanisms

5.1. The connection between the right to explanation and the right to choice: Enabling users to affect whether the processing continues

The relation between the right to explanation and the right to choice is not, first of all, one of overlapping content. It is one of functional connection. The right to explanation addresses whether users know what kind of processing the platform is carrying out and how that processing affects their position. The right to choice addresses whether, after knowing this, users can decide whether that processing should continue and in what way it should continue[103]. The two do not belong to the same level of rights. But the real exercise of the latter usually depends on the realization of the former.

This is especially clear in the platform context. If users do not know which tags, profiles, or recommendation logic the platform is using to shape the scope of information they can access, it is difficult for them to judge whether they should close the relevant function, switch to a non-personalized path, delete tags, or refuse to continue accepting a specific kind of processing[104]. Without explanation, the right to choice can easily remain abstract. Users may appear to have options such as "close," "opt out," or "adjust," but they cannot tell what kind of processing these options actually correspond to, nor whether exercising them is enough to change their situation[105]. In that case, the right to choice exists, but it lacks a clear object.

For this reason, the connection between the right to explanation and the right to choice does not lie in the former replacing the latter in making a decision about processing. It lies in the former turning the latter from an abstract option into a real choice directed at a specific form of processing. In this sense, the right to explanation provides the object, direction, and starting condition for the right to choice. Choice is meaningful only when the user knows which processing will be closed, adjusted, or refused.

5.2. The connection between the right to explanation and the right to objection: Enabling users to challenge specific processing

The relation between the right to explanation and the right to objection shows the preliminary nature of the right to explanation even more clearly than its relation with the right to choice[106]. Choice mainly concerns whether the processing should continue.

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[103] RIEDER, B.; HOFMANN, J. "Towards platform observability", Internet Policy Review, 2020, vol. 9, no. 4. https://doi.org/10.14763/2020.4.1535

[104] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

[105] HE, T. "Online content platforms, copyright decision-making algorithms and fundamental rights protection in China". 2022. Ibid.

[106] ZHANG, X. "Research on the right to explanation of automated decision-making and algorithm governance". 2019. Ibid.

Objection goes further. It concerns whether the processing is proper, whether the result is reasonable, and whether the platform should review it again. The reason why objection needs explanation as a precondition is that when users face an adverse outcome, what they usually feel first is the outcome itself, not the mechanism by which that outcome was formed[107]. Without explanation, objection often remains only dissatisfaction with the result. It cannot easily become a targeted challenge to the specific processing itself.

Users may experience content demotion, account restrictions, clearly limited service recommendations, or a way of presenting information that remains unfavorable to them. But if users cannot know whether these results are related to ranking rules, profile tags, review logic, or some other kind of automated processing, they will find it difficult to form an objection with a clear direction. In that case, so-called objection can only amount to a general expression of dissatisfaction. It cannot become a legal claim that pushes the platform into a formal response and review procedure[108]. Objection is not simply dislike of the result. It must point to some identifiable object of processing.

The function of the right to explanation lies precisely in making this transformation possible. It enables users to turn their immediate dissatisfaction with the result into a targeted challenge to a specific processing logic, a specific tag classification, a specific ranking method, or a specific review standard. The right to explanation does not directly complete objection. But it turns objection from a complaint without an object into a challenge with an object. Therefore, a meaningful objection requires at least a minimally specific explanation of the relevant processing logic or factor categories[109].

5.3. The connection between the right to explanation and the right to remedy: Enabling users to request the correction of adverse consequences

If the right to choice concerns whether the processing should continue, and the right to objection concerns whether the processing should be reviewed again, then the right to remedy concerns whether adverse consequences can be corrected, reduced, or brought to an end[110]. The connection between the right to explanation and the right to remedy therefore goes one step further. It not only enables users to know what has happened, and not only enables them to raise questions. It also enables them to judge through which path they should respond in a substantive way to consequences that already exist[111].

In the platform context, the adverse consequences users face are often not abstract. They may take the form of persistent deviation in recommendation results, long-term attachment of wrong tags, restrictions on account functions, blocked content distribution, or issues directly related to the processing of personal information, such as correction, deletion, restriction of processing, or withdrawal of consent[112]. The problem is that if users cannot identify what kind of processing these adverse consequences are connected with, they will find it difficult to judge whether they should request correction, deletion, restriction of processing, restoration of

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[107] ZHANG, L. "Research on the right to explanation of commercial automated decision-making". 2018. Ibid.
[108] BAYAMLIOGLU, E. "The right to contest automated decisions under the General Data Protection Regulation: Beyond the so-called 'right to explanation'". 2021. Ibid.
[109] ZHANG, X. "Research on the right to explanation of automated decision-making and algorithm governance". 2019. Ibid.
[110] WANG, L. "On the rights of data producers". 2023. Ibid.
[111] SHEN, W. "On the hierarchy of data property rights system: The 'three-three system' of data right confirmation". 2023. Ibid.
[112] WANG, L. "On the rights of data producers". 2023. Ibid.

status, or some other legal response[113]. Without explanation, requests for remedy can lose direction, or be made only in very broad terms.

The role of the right to explanation here is therefore to provide the factual basis and procedural entry point for remedy. It does not itself produce correction, deletion, compensation, or restoration. But it enables users to connect adverse consequences with specific processing, so that remedy is no longer merely a general denial of the result, but becomes a targeted request to correct a specific problem. Without this factual basis, users may request correction or deletion in abstract terms, but the platform can easily treat the request as unsupported[114].

5.4. This Structure is a normative reconstruction, not a description of an already formed legal system

The above analysis shows that there is an internal connection between the right to explanation and choice, objection, and remedy. But this connection must still be stated carefully.

But two points must be clearly distinguished here. First, current Chinese law does provide normative materials that support this structured understanding. Second, current Chinese law has not expressly constructed this structure as a unified, complete, and actionable overall structure of rights. Without this distinction, scattered normative foundations can easily be written as if they were already a completed chain of rights.

For this reason, the "explanation-choice-objection-remedy" structure proposed here is not a simple description of the current state of law. It is a normative reconstruction built on existing normative materials[115]. "Reconstruction" here does not mean creating something out of nothing. Nor does it mean making a purely normative design detached from current law. It means that, given that existing rules already separately present institutional nodes such as explanation, closure, complaint, correction, and the realization of later rights, this article further reveals how these nodes should be connected with one another at the level of legal reasoning and institutional design[116].

This matters because it means that the contribution of this article is not merely to list rules. It is to explain why these rules should be understood as a continuous protective structure. Only on the premise that current law has not yet completed a systematic construction do the later institutional proposals on triggering thresholds, minimum standards of explanation, procedural connection, human review, and platform accountability become truly necessary.

The preceding analysis can be further organized through the three later mechanisms most relevant to the protection of users' data rights. Table 3 therefore shows how the right to explanation supplies the object, direction, and procedural entry point for choice, objection, and remedy, while also indicating the existing normative nodes on which this reconstruction is based.

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[113] SHEN, W. "The right-obligation relationship between data providers and data processors". 2024. Ibid.

[114] WANG, Q. "The multiple dimensions of algorithmic transparency and algorithmic accountability", Journal of Comparative Law, 2020, no. 6, pp. 163–173. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2p8nqF7B2ODg6-y0mCN9ZR9HpilVlam7AS_--TkIUrqLS4qD900u4YWTopNm_b6BwJO8BMKAuc3dNigYHG9I8NIZ1O4vSoXa6p6sKEmnstPpxd7HmJE9Z0vRrLTI6BadsVbLX7fb64SfCUhhBoHsQfZcRrDl0LFtIP4YyDjbcjK5Q==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[115] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

[116] YANG, J. "The public-private law distinction and cooperation in the scenario-based allocation of the right to algorithm explanation: From the perspective of Habermas' public sphere theory". 2026. Ibid.

Table 3. The structural connection between the right to explanation and later mechanisms.

Later mechanism	Function provided by explanation	Problem in the absence of explanation	Corresponding normative nodes in current law
Choice	Enables users to identify the relevant object of processing and to judge whether they should continue to accept that processing	Options may formally exist, but users cannot determine what kind of processing those options correspond to, nor can they assess whether exercising the right to choose is sufficient to change their situation	PIPL, Art. 24; Algorithm Recommendation Provisions, Art. 17
Objection	Enables users to transform dissatisfaction with the result into a targeted challenge to specific processing	Users can only express general dissatisfaction, and it is difficult for them to form an objection with a clear object and direction or to push the platform into a formal response and review procedure	Algorithm Recommendation Provisions, Art. 22; Network Data Regulations, Arts. 20, 21, and 23
Remedy	Provides the factual basis and procedural entry point for correcting adverse consequences	Users find it difficult to judge whether they should request correction, deletion, restriction of processing, restoration of status, or other remedial paths; remedial requests therefore easily lose direction	Network Data Regulations, Arts. 21, 23, and 24

Note: As Table 3 shows, the relationship between the right to explanation and choice, objection, and remedy is not one of parallelism or substitution. Rather, it is a structural connection in which the right to explanation opens later mechanisms. Yet this connection still mainly appears as a normative reconstruction built on fragmented normative nodes, rather than as an overall structure of rights already completed in current law. Source: created by the authors.

6. Specific paths for improving the right to explanation in the platform context

6.1. The threshold for triggering the duty to explain: Explanation should neither expand without limit nor be unduly narrowed

If the right to explanation is to function effectively in the platform context, one prior question must first be answered: not all forms of automated processing should trigger the same level of explanatory duty. If the duty to explain is extended to all back-end processing on platforms, it will not only be difficult to implement, but will also intrude too far into the normal technical and business space of platforms. But if the duty to explain is strictly limited to a very small number of formally pure automated decisions, many forms of processing that already have a substantial effect on users' situation will fall outside regulation[117]. The threshold for triggering the duty to explain must therefore be calibrated between protectability and enforceability.

This article argues that, in the platform context, the duty to explain should at least be triggered when there is a substantial impact on users' data rights or related legal position. "Substantial impact" here should not be limited to the formal shape of a final decision. Nor should it remain at the level of abstract risk. More precisely, it should

[117] LIN, H.; WU, H. "A right to an explanation of algorithmic decision-making in China". 2022. Ibid.

cover at least two kinds of situations. One is where the processing directly affects the conditions under which users obtain services, maintain accounts, access information, engage in transactions, or receive content distribution. The other is where the processing has not yet produced a final result, but has already continued to affect users' later situation and is sufficient to change their space of choice, capacity to complain, or opportunities for remedy[118].

The determination of substantial impact should not be left entirely to the unilateral discretion of platforms. Platforms may make the first assessment because they control the relevant data, models, and procedural design. However, that assessment should be reviewable. Where users can plausibly indicate that automated processing has affected account status, service access, content distribution, transaction conditions, or the availability of later remedies, the platform should provide at least a basic explanation or give reasons for refusing the request. In high-risk, repeated, or large-scale cases, regulators, courts, or independent oversight mechanisms should be able to review whether the platform has wrongly denied the existence of substantial impact.

Accordingly, the duty to explain need not be triggered for all personalized processing as a matter of course. But at least four typical situations should be treated as requiring a stronger explanation duty. First, situations in which account status, content distribution, visibility ranking, or service access is significantly restricted or changed. Second, situations in which the platform imposes differential treatment on users on the basis of profiles, tags, or inferred results, and that treatment is sufficient to affect their real situation. Third, situations in which users have already clearly raised an objection and have given a preliminary indication of the relation between a certain processing activity and an adverse result. Fourth, high-risk situations in which current law already expressly requires explanation, closure, complaint, or the preservation of later pathways.

In these situations, platforms should not be allowed to refuse explanation across the board on the ground that "this is only ordinary algorithmic operation" or that "no final decision has been made."

At the same time, the duty to explain should not be designed as a fully uniform and undifferentiated single duty. The more direct, serious, and irreversible the impact is, the higher the requirements should be for timeliness, specificity, and later procedural safeguards. Processing with lighter impact, stronger reversibility, or lower risk may be subject to a more simplified explanation duty[119]. This approach can both prevent the duty to explain from expanding without limit and prevent platforms from using complexity as a reason to downgrade high-impact processing into ordinary back-end operations.

6.2. The minimum standard of explanation content: No need for full technical disclosure, but it must be enough to support the exercise of later rights

Once the duty to explain is triggered, the next key question is how far the platform must go in explaining. Two opposite mistakes should be avoided here. The first is to treat explanation as full technical disclosure and require the platform to disclose source code, model parameters, the whole training logic, and internal risk-control strategies. The second is to reduce explanation to a standardized template, an abstract notice, or a general disclaimer, and treat any broad statement by the

[118] ZHANG, J.; ZHONG, X. "Information dissemination crisis and collaborative co-governance model of algorithmic recommendation in China", Proceedings of International Conference on Intelligent Systems and New Applications, 2023, vol. 1, pp. 9–13. Avaliable at: https://proceedings.icisna.org/conf/index.php/ICISNA/article/view/84 (accessed on 8 April 2026).

[119] WANG, Q. "The multiple dimensions of algorithmic transparency and algorithmic accountability". 2020. Ibid.

platform as sufficient performance of the duty[120]. Existing research also shows that, in concrete settings that rely heavily on algorithmic decision-making, a simple appeal to "algorithmic transparency" often cannot be turned into information that users can actually understand and use. For this reason, what matters more than an abstract demand for full disclosure is the formation of a standard of explainability that is sufficient to support later response[121]. The same point applies to the platform data-processing context discussed in this article.

"Minimum" here does not mean that less is always better. It means that explanation must at least reach a level that allows users to identify the object of the problem, understand the basic impact, and judge the direction of their next step. More operationally, the minimum explanation should cover four categories of information: the existence of relevant automated processing, the main categories of factors, the basic way in which those factors affected the result, and the later procedural options available to the user.

First, the platform should explain whether the relevant automated processing exists and whether that processing is related to the result the user has encountered. The platform should not merely say that it "uses algorithms" while avoiding whether a particular result is connected to a specific automated processing activity. What users really need to know is not whether the platform uses algorithms in a general sense, but whether this adverse result is connected with some kind of automated processing.

Second, the platform should explain the main categories of factors that affected the result, without having to disclose all technical details. The key point here is the categories of factors, not every parameter. In other words, the platform should at least explain whether the result was mainly affected by user tags, behavioral features, risk judgments, content attributes, review standards, or other factors. It should not replace explanation with vague expressions such as "comprehensive factors" or "system judgment"[122].

Third, the platform should explain in basic terms how those factors affect the result. Here again, the platform is not required to provide a complete causal chain or a full technical mechanism. But it should at least explain whether a certain category of factor functioned as a triggering factor, an aggravating factor, a ranking factor, a limiting factor, or something else[123]. Without this layer of explanation, users may know the category of factors and still not understand how those factors actually affected their situation.

Fourth, the platform should clearly inform users of the later paths available to them, including options to close or adjust the processing, the entry point for raising an objection, the possibility of human review, and channels for correction, deletion, restriction of processing, or other remedies. If explanation cannot lead to later paths, it can easily remain at the level of "I know now, but I can do nothing"[124]. In the platform context, explaining these later paths is not a secondary matter. It is a key part of whether explanation can actually become protection.

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[120] XIN, Q. "Questioning the right to explanation of algorithms". 2021. Ibid.

[121] HUANG, Z. "Research on algorithmic governmentality of delivery platforms in the digital era: taking delivery riders as an example", Contemporary Youth Research, 2026, no. 1, pp. 99–115. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2rWpFWqecNJMPfIHnjhYqvXpu8JB9PBkhNs7Lz5lpv3qIDDpeja7z7fIpCfI0VkClAdU7bZlbPnq551iL1PWvNMPcfruzPSvXXINV6iv9v1lrZhubag_Onxj-uznCs5CK1KVz0EJ9i621PiBXyU6tdtl4k03nmwUwe2a2h__t0XCw==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[122] LIN, H.; WU, H. "A right to an explanation of algorithmic decision-making in China". 2022. Ibid.

[123] HE, Y. "Data rights reflection and dualistic reconstruction in the era of intelligent computing: Based on the investigation of the evolution of data value realization path". 2025. Ibid.

[124] MALGIERI, G. "Algorithmic impact assessments under the GDPR: producing multi-layered explanations". 2021. Ibid.

On the basis of these minimum requirements, platforms need not disclose source code, all model weights, details of training data, or complete risk-control strategies. Nor should they be required to prove that every processing activity has technical explainability that can be reverse-engineered in full[125]. The focus of the duty to explain does not lie in satisfying complete technical traceability. It lies in satisfying the legal minimum of intelligibility. If users can know whether the processing exists, what the main factors are, how those factors basically affected the result, and what they can do next, then the explanation has already reached a relatively reasonable minimum standard in the platform context.

6.3. The procedural connection between explanation and later rights: Protection cannot stop at "already explained"

Even if the triggering threshold and minimum content of explanation have become relatively clear, protection may still fail at the procedural level. The reason is that explanation is not an isolated act. It should stand at the beginning of a continuous procedural chain[126]. If there is no clear, convenient, and operable later entry point after explanation, users may still find it difficult to change their situation even if they know what the platform has done.

Explanation should first be procedurally accessible. Platforms should not only provide an explanation entry point in form. They should also ensure that the entry point is visible, stable, low-cost, and easy to use in practice. If requests for explanation are hidden under complex pages, or can only be made through opaque multi-level menus, low-visibility customer service channels, or hard-to-identify terms pages, then the right to explanation may exist in law and still remain difficult to exercise in practice[127]. Procedural design in the platform context already has a clear element of unilateral control. For that reason, the question is not simply whether an entry point exists. The more important question is whether users can actually enter it without difficulty.

Explanation should also be responsive in time. If explanation appears only long after the result has been produced, or if the platform delays its response without limit, the institutional value of explanation is greatly reduced[128]. Where the impact continues and the consequences are still capable of correction, the platform should respond within a reasonable period, so that explanation still takes place within the time window in which the user can take further action. Of course, platforms need not provide an immediate, individualized, and highly detailed response to every request. But at a minimum, they should avoid delaying explanation until the problem can no longer be reversed. If explanation always comes only after the consequences have already become fixed, it loses its real procedural significance.

In addition, explanation should be capable of moving the procedure forward in substance. A platform’s response to a request for explanation should not stop at repeating a template. Nor should it use "system automatic judgment" as the final

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[125] LI, X. "Algorithmic trade secrets and algorithmic justice", Journal of Comparative Law, 2021, no. 3, pp. 105–121. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2qgeyTzQknIXcOM2c0oI3jn_s-KOuI_-Hcv6dBLJgfeBTDJVWU2roxe_s7OCiQIwi_u3TDoKRgvDWR__Lv8kcmhVLjq2jBprK_L1pTAc-zyqEBFx-1ewAIHOMIQAHGGNd4NOZ8UvsMQbp6JrDQYXXw-Le9TUdF6bky6NedkCimH-Q==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[126] KAMINSKI, M. E.; MALGIERI, G. "Multi-layered Explanations from Algorithmic Impact Assessments in the GDPR", Proceedings of the 2020 Conference on Fairness, Accountability, and Transparency, 2020, pp. 58–69. https://doi.org/10.1145/3351095.3372875

[127] ZHANG, L. "The construction of algorithmic accountability in network platform regulation". 2021. Ibid.

[128] HE, T. "Online content platforms, copyright decision-making algorithms and fundamental rights protection in China". 2022. Ibid.

answer. Procedural connection does not simply mean that users can jump from an explanation page to a complaint page. It means that the questions raised by users can trigger the next procedural step[129]. For example, when users have already pointed out clearly wrong tags, abnormal ranking results, or account restrictions that do not match their prior behavior, the platform should not merely repeat the original explanation. It should further start a process of checking, response, or review.

The procedural connection after explanation should also reflect a logic of differentiation. Not all problems need to move toward the same later path. Some problems are better handled quickly through closure, non-personalized options, or tag adjustment. Some need to enter complaint and platform re-examination. Others already involve stronger legal remedies such as correction, deletion, restriction of processing, withdrawal of consent, or other forms of relief[130]. Platforms should therefore not set up only one catch-all entry point. They should provide procedurally different paths for different kinds of problems. Only then will explanation not be blocked at the procedural level, but truly lead to the exercise of later rights.

6.4. The triggering conditions for human review: Preserving space for re-examining automated outcomes at key points

If the explanation system addresses whether users can know, and procedural connection addresses whether users can enter, then human review addresses whether the outcome of automated processing can still be re-examined. Platforms often rely not only on automated processing to produce results, but also on automated procedures to respond to objections. If, after users have already raised a targeted challenge, the platform still repeats the original result only through automated logic, the whole procedure becomes merely an extension of automated processing rather than a process with real error-correcting capacity[131]. From the perspective of the legal expression of algorithm ethics, transparency, responsibility, and human oversight should not remain at the level of abstract values. They should be further translated into enforceable duties of explanation, review, and remedy. Otherwise, algorithm ethics can hardly become an institutional guarantee that users can actually perceive[132]. For this reason, human review should not be understood as a universal procedure that must be triggered in every case. But it should be clearly preserved at certain key points.

This article argues that substantive human review should be triggered in at least three kinds of situations.

First, where the adverse consequences suffered by users are serious and continue to affect their real situation, such as account restrictions, significant obstruction of content distribution, limits on service access, or the closure of important functions. These situations go beyond ordinary recommendation differences or minor ranking changes. If the platform still relies entirely on automated results to verify itself, it can hardly show that the procedure has even a basic capacity for correction[133].

Second, where users have already raised a targeted objection on the basis of the

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[129] ZHANG, L. "The construction of algorithmic accountability in network platform regulation". 2021. Ibid.

[130] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

[131] LI, X. "Algorithmic trade secrets and algorithmic justice". 2021. Ibid.

[132] LI, S. "Legal expression of algorithm ethics", Contemporary Law Review, 2025, vol. 39, no. 6, pp. 52–64. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=QLLcG2LOr2qFfNoiy9E2je0viJilecBDoxIOFBHvZxyi2EXBFY-cczRuhNHugm4bAGuX8bplfqgr6YIwvnSmCIxWnktQ3u3FCepzbt6_KvtBtiDhCVg6lcJIMdylg-PdWn7XN-kkVKYvz1XqysaLdYzbtC8KU2u8Z1aknmCxNaU0TwZYQs5q5g==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

[133] LI, X. "Algorithmic trade secrets and algorithmic justice". 2021. Ibid.

platform's explanation, and have pointed to wrong tags, clearly mismatched factor classifications, risk judgments inconsistent with prior behavior, or other issues that can be specifically verified[134]. In such cases, users are not expressing abstract dissatisfaction with the result. They have already made the problem concrete. If the platform still refuses to enter human review, both explanation and objection will become formalized.

Third, where current law already imposes higher requirements on the relevant setting, or where the processing itself involves high public risk, a strong risk of discrimination, or a significant possibility of wrongful harm. The key point here is not whether a "final decision" has already been made. The key point is whether the automated processing has already substantially changed the user's legal or factual position. In such cases, the automated system should not become the platform's own final judge.

It should also be made clear that human review should be available not for every dissatisfaction, but for serious, targeted, or high-risk disputes[135]. Human review does not mean that platforms must manually redo the entire algorithmic process. Nor does it mean that any user dissatisfaction must trigger a full round of human intervention. Its proper meaning is that, at key points, a procedural space should be preserved outside the original automated logic so that the disputed issue can be independently re-evaluated.

6.5. The continuity of platform accountability: Record retention, internal governance, and external oversight

If the explanation system is to rise from case-by-case explanation to a stable mechanism, it cannot rely only on users making requests one by one. Platforms control data, models, rules, and procedural design, while users usually respond only after the result has already been produced. If the law requires platforms only to answer users in individual cases, but does not further require them to retain records, establish internal governance mechanisms, and accept external review, the explanation system can easily become a one-time communication duty rather than a structure capable of supporting continuous protection[136]. Platform accountability must therefore expand from case-specific response to continuing institutional responsibility.

Platforms should bear necessary duties of record retention. Without records, it is impossible to verify whether a certain processing activity actually occurred. It is also impossible to determine whether the explanation later given by the platform is consistent with the original process[137]. Record retention in the platform context need not mean unlimited preservation of all raw data. But it should at least include logs related to key processing, changes in tags, information on the triggering of important rules, records of complaint feedback, and the necessary processing traces related to the formation of disputed outcomes. Only in this way can platform explanation, user

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[134] DING, X. "Automated decision-making based on trust: Principle reflection and institutional reconstruction of the right to algorithm interpretation", China Legal Science, 2021, no. 6, pp. 104–123. Available at: https://link.oversea.cnki.net/doi/10.14111/j.cnki.zgfx.20211230.001 (accessed on 8 April 2026).

[135] Ibid.

[136] WANG, Q. "The multiple dimensions of algorithmic transparency and algorithmic accountability". 2020. Ibid.

[137] DING, X. "On the legal regulation of algorithms", Social Sciences in China, 2020, no. 3, pp. 138–159. Available at: https://oversea.cnki.net/kcms2/article/abstract?v=5ZfW7CBA1F_m2HdGAnoN_e-MdjvQj7yNWzshIsbweLnUYfc_a7dXrfKL36M98xB4FOz_ZGg6Ldab_BaQzRyybJJuvbfKeFe_UUVXs6AKWNayjU7OBu65IeUUMngSy3jIMDK_pA9gAslS7WUquT49NlGjZK9A3VgDeXKCZsAEgjjSlUjCKVkHxw==&uniplatform=OVERSEA&l (accessed on 8 April 2026).

objection, and external oversight form a basic chain of verification.

Platforms should also bear internal governance duties. The explanation system should not be activated only temporarily after a user raises a dispute. It should be incorporated into the platform's ordinary governance structure. More specifically, platforms should establish internal mechanisms of review, assessment, and correction related to algorithmic mechanisms, tag management, review logic, result distribution, and user feedback[138]. The point is not to produce more formal compliance documents. The point is to ensure that the platform can continuously examine its own processing logic. If the platform has no internal ability to identify why a certain processing took place, and no mechanism to look back at the process once a dispute arises, the duty to explain will be difficult to realize in actual cases.

Platform accountability should also be connected with external oversight. Platforms should not be allowed to prove their own compliance only through their own explanation[139]. More generally, governance experience shows that when high-impact technological measures lack independent oversight and external review, imbalance is likely to arise between security, efficiency, and rights protection[140]. The same is true of automated processing on platforms. For this reason, the platform's duty to explain cannot rest entirely on its own account of itself. The more deeply automated processing is embedded in platform governance, the more necessary it becomes to have external spot checks, filing, security assessment, compliance review, or other forms of scrutiny, so that platforms cannot internalize explanation duties, procedural entry points, and internal checks entirely within their own unilateral control. The point here is not to turn all platform governance into administration. It is to preserve the institutional possibility of external verification in high-risk or high-impact settings. Only when platforms know that their records, processing logic, and procedural arrangements may be externally reviewed can the explanation system avoid collapsing into a purely one-sided account by the platform.

Finally, the scope of platform accountability should also be differentiated. Platforms exercise different degrees of control in different parts of governance. The duties they should bear in explanation, record retention, and review should therefore not be identical in all cases. Where the platform directly controls, directly designs, and directly outputs the result, stronger duties of record retention, explanation, and review should apply. Where the platform only partly accesses, partly uses, or relies on external models for support, distinctions should be made according to its actual degree of control, knowledge, and capacity for intervention[141]. This has two advantages. It avoids treating the platform as an abstract unified actor bearing the same responsibility for every technical step. It also makes platform accountability better fit the requirements of attributability and enforceability.

6.6. An operational procedure for explanation requests in the platform context

The previous subsections have identified the triggering threshold, the minimum content of explanation, the procedural connection with later rights, human review, and continuing platform accountability. These proposals still need to be translated into an operational procedure. Otherwise, the explanation system may remain a set of normative principles without a clear route for users, platforms, regulators, and courts

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[138] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

[139] RIEDER, B.; HOFMANN, J. "Towards platform observability". 2020. Ibid.

[140] SHAWE, R. "Cybersecurity and human rights: Navigating the balance between security and freedom in the digital era", Journal of Information Technology and Integrity, 2025, vol. 3, no. 2, p. 110. https://doi.org/10.33790/jiti1100110

[141] HE, T. "Online content platforms, copyright decision-making algorithms and fundamental rights protection in China". 2022. Ibid.

to follow.

First, the procedure should begin with a visible and accessible request channel. Users should be able to submit an explanation request without having to search through complex menu structures, hidden terms pages, or low-visibility customer-service routes[142]. After receiving the request, the platform should confirm receipt and classify the request according to the level of impact. If the platform concludes that the request does not meet the substantial-impact threshold, it should provide a reasoned refusal rather than a bare rejection. This prevents the threshold from becoming a purely internal filter controlled by the platform.

Second, where the request meets the threshold, the platform should provide a basic explanation that is sufficient for later response. At the minimum, the explanation should state whether automated processing was involved in the disputed outcome; what type of processing was involved, such as recommendation, ranking, profiling, tagging, review, risk assessment, or account management; the main categories of factors that affected the outcome; the basic way in which those factors affected the result, such as triggering, ranking, limiting, filtering, or aggravating the consequence; and the later procedural options available to the user, including opt-out, adjustment, objection, human review, correction, deletion, restriction of processing, or complaint.

Third, the procedure should move in stages. The user submits an explanation request; the platform confirms receipt; the platform classifies the impact; the platform provides a basic explanation or a reasoned refusal; the user is informed of available later options; and, where the user raises a targeted objection, the platform should conduct review and, where necessary, human review. Where the platform repeatedly provides template-based responses, refuses explanation without adequate reasons, or where high-risk consequences are involved, the user should have access to complaint, regulatory review, or judicial remedies. Records of the request, explanation, objection, review, and result should be retained for possible external verification.

Fourth, the respective roles of different institutions should be distinguished. Regulators should play a standard-setting and supervisory role by clarifying typical high-impact scenarios, conducting inspections, requiring records, and responding to systemic risks. Courts should examine, in concrete disputes, whether the platform provided a meaningful explanation and whether the lack of explanation prevented the user from exercising later rights. Independent oversight bodies or qualified third-party reviewers may be used in technically complex or trade-secret-sensitive cases, where direct disclosure to users is limited but external verification remains necessary.

Finally, failure to provide meaningful explanation should not lead to a single uniform consequence[143]. The response should depend on the seriousness of the impact and the platform's degree of fault. Possible consequences include an order to provide supplementary explanation, reopening or re-examining the disputed processing, correcting or deleting inaccurate data, restricting further processing, regulatory orders for rectification, administrative penalties where applicable, and adverse evidentiary consequences or liability in judicial proceedings where the failure to explain prevents the user from exercising later rights.

For this reason, the proposed procedure should be understood not as a new procedural code, but as a practical ordering of the duties and review points identified above. Table 4 translates this proposal into the main operational issues, proposed

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[142] SU, Z.; BENTLEY, B. L.; MCDONNELL, D.; CHESHMEHZANGI, A.; AHMAD, J.; ŠEGALO, S.; PEREIRA DA VEIGA, C.; XIANG, Y.-T. "China's algorithmic regulations: Public-facing communication is needed". 2023. Ibid.

[143] WANG, M. "Regulation of algorithmic decision-making in China: Development, problems and implications". 2024. Ibid.

rules, and institutional functions that should guide explanation requests in the platform context.

Table 4. Operational design of the right to explanation in the platform context.

Operational issue	Proposed rule	Institutional function
Determining substantial impact	The platform makes the first assessment, but the assessment must be reviewable by users, regulators, courts, or independent oversight mechanisms in high-risk or disputed cases.	Prevents platforms from unilaterally narrowing the trigger threshold.
Minimum information	The explanation should cover the existence of automated processing, the type of processing, main factor categories, the basic effect on the result, and later procedural options.	Turns explanation from formal notice into usable information.
Procedure after request	Request, receipt confirmation, impact classification, basic explanation or reasoned refusal, later options, objection or review, remedy, and record retention.	Connects explanation with later mechanisms.
Human review	Human review should be triggered where serious consequences, targeted objections, or high-risk processing exist.	Preserves error-correction outside the original automated logic.
External oversight	Regulators set standards and inspect; courts review individual disputes; independent reviewers verify complex or sensitive cases.	Prevents platform self-confirmation.
Consequences of failure	Possible consequences include supplementary explanation, re-examination, correction, deletion, restriction of processing, regulatory rectification, administrative penalties, adverse evidentiary consequences, or civil liability where applicable.	Gives the duty to explain practical force.

Note: Table 4 translates the preceding institutional proposals into an operational sequence. It does not create a closed procedural code, but clarifies the minimum actors, steps, information duties, review mechanisms, and consequences that are necessary for explanation to support later rights. Source: created by the authors.

6.7. The basic framework of interest balancing: Balancing users' rights, trade secrets, algorithm security, compliance costs, and enforceability

If these institutional proposals are to hold, they cannot proceed only from the user's side, nor can they retreat only to the platform's side. In the end, improvement of the right to explanation must rest on a clear framework of interest balancing.

First, the protection of users' rights should be the central goal of the explanation system, but not its only goal. The duty to explain discussed in this article always serves the specific scope of the protection of users' data rights. It is not generalized into an overall duty to explain all issues of fairness, discrimination, bias, or platform legitimacy. For that reason, the standard of explanation should focus on whether users can identify the processing, understand its basic impact, and actually trigger later rights. It should not be written as requiring platforms to fully prove the reasonableness of all their technical and business logic[144]. Only in this way can the goal of the duty to explain avoid excessive expansion.

Second, trade secrets and algorithm security do indeed form important limits on the duty to explain. Platforms are not obliged to disclose all source code, model

[144] DING, X. "Automated decision-making based on trust: Principle reflection and institutional reconstruction of the right to algorithm interpretation". 2021. Ibid.

parameters, training data details, or internal risk-control strategies[145]. If the explanation system takes complete transparency as its goal, it will not only be difficult to operate, but may also harm normal innovation and security governance[146]. But this does not mean that platforms may refuse explanation across the board in the name of trade secrets. A more reasonable approach is to limit the duty to explain to what is sufficient to support the exercise of later rights. Full technical disclosure is not required. But users should at least be able to identify whether automated processing exists, what the main categories of factors are, how those factors basically affect the result, and what they can do next.

Third, compliance costs and institutional enforceability must also be taken into account. Platforms differ in size, complexity of processing, and types of risk. They should not all be subject to exactly the same intensity of explanation duties and procedural requirements[147]. High-risk, high-impact, and strongly controlled settings should be subject to stronger duties of explanation, review, and record retention. Processing with lower risk, lighter impact, and stronger reversibility may be allowed a more simplified explanation and procedural arrangement. The point here is that differentiated allocation does not reduce protection. It makes the system workable in reality.

Finally, the result of interest balancing should not give absolute priority to one side. It should reflect a sustainable institutional balance. For users, the value of the explanation system lies in the fact that platform governance is no longer wholly invisible. For platforms, reasonable limits ensure that they are not required to bear impossible duties of technical disclosure. For regulators, differentiated thresholds, minimum content standards, procedural connection, and continuing accountability mechanisms provide more operable objects of review[148]. In other words, a truly workable explanation system is not one that eliminates every tension. It is one that organizes these tensions into a clear, limited, and applicable normative framework.

The above discussion shows that institutional improvement requires several coordinated paths rather than a single expansion of disclosure duties. Table 5 summarizes these paths by linking each institutional problem with its goal, main requirement, and corresponding risk, so that the proposed explanation system remains both protective and enforceable.

Table 5. Main paths for improving the explanation system in the platform context.

Institutional problem	**Institutional goal**	**Main requirement**	**Corresponding risk**
Threshold for triggering the duty to explain	Prevent the duty to explain from becoming either overly broad or overly narrow	Take substantial impact on users' data rights or related legal position as the basic threshold, and further distinguish among degrees of impact and types of risk	Regulatory gaps or over-compliance
Minimum standard of explanation content	Prevent explanation from collapsing into abstract or template-based statements	At a minimum, explain whether the processing exists, the main categories of factors, how those factors basically affect the result, and what later paths are available to the user	Formal transparency

[145] LIN, H.; WU, H. "A right to an explanation of algorithmic decision-making in China". 2022. Ibid.
[146] LI, S. "Legal expression of algorithm ethics". 2025. Ibid.
[147] DING, X. "On the rights of data producers". 2023. Ibid.
[148] LIU, Y.; DENG, L. "Efficiency and equity in the platform economy: A study based on the algorithm 'taking the middle' reform". 2026. Ibid.

Institutional problem	Institutional goal	Main requirement	Corresponding risk
Procedural connection between explanation and later mechanisms	Ensure that explanation truly enters later procedure	Ensure that the entry point is accessible, the response timely, the content capable of moving the procedure forward, and the path capable of differentiation	"Already explained" but no real capacity to act
Triggering conditions for human review	Preserve space for re-examining automated outcomes	Reserve substantive human review for high-impact outcomes, targeted objections, and high-risk scenarios	Automated self-validation of results
Continuity of platform accountability	Turn the explanation system from one-time explanation into a continuing mechanism	Strengthen record retention, internal governance, and external oversight, and differentiate responsibilities according to the degree of control	The duty to explain degenerates into one-time communication
Basic framework of interest balancing	Balance rights protection with institutional enforceability	Take users' rights, trade secrets, algorithm security, compliance costs, and enforceability into account in a coordinated manner	A system that is either overbuilt or too weak to operate

Note: As Table 5 shows, the focus of institutional improvement in the platform context does not lie in expanding the duty to explain without limit, but in enabling it to trigger later procedures at key points and to be embedded in a continuous protective structure. Source: created by the authors.

7. Conclusion

The issue of explanation in the platform context is no longer merely an abstract question of transparency. Chinese law has already formed a normative basis for explanation-related requirements through rules on automated decision-making, algorithm recommendation, network data processing, deep synthesis, and AI-generated and synthesized content labeling. In this sense, the right to explanation is not a normative blank in Chinese law.

The more accurate judgment, however, is that this basis remains fragmented, contextual, and embedded. Current law provides institutional nodes of explanation, notice, labeling, closure, complaint, correction, deletion, and later rights realization, but these nodes have not yet been unified into a complete and directly actionable structure of rights. This fragmentation also creates internal tensions between transparency and trade secrets, user rights and compliance costs, formal explanation and meaningful contestation, and internal platform complaint mechanisms and external oversight.

On that basis, this article argues that the right to explanation should be understood as a preliminary procedural right. This concept is not an expressly established statutory category in Chinese law, but a normative-doctrinal reconstruction based on existing legal materials. The right to explanation is preliminary because it provides the conditions for later protection to begin. It is procedural because its immediate function is to enable users to identify the relevant processing, understand its basic reasons and effects, and activate later mechanisms of choice, objection, review, and remedy.

Institutional improvement should therefore focus not only on strengthening explanation in general terms, but on making the explanation procedure operational. The triggering threshold, minimum content of explanation, procedural connection

with later rights, human review, record retention, internal governance, external oversight, and interest balancing must all be specified. The central point is limited but important: under Chinese law, the right to explanation should not be treated either as a complete solution or as a merely symbolic duty. It should be designed as the procedural starting point through which users can realistically activate later mechanisms of protection in the platform context.

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