School of Law
香港城市大學
City University of Hong Kong

Staff Seminar Series (Online)

Title: **Asian Fake News Regulations During the COVID-19 Pandemic**

Speaker: **Dr. Elena SHERSTOBOEVA**

Date : **18 Nov 2020 (Wed)**

Time : **3:00pm - 4:00pm (HKT)**

Abstract:

In times of COVID-19, the fight against fake news is a pressing issue of global prominence. While excessively restrictive regulation of such 'news' may help to avoid public harm, it may also curtail freedom of expression, whose prominence during the pandemic has grown. The United Nations had already raised concerns about laws regulating fake news in some Asian states, so it is crucial to examine the Asian approach to fake news regulation and how it impacts freedom of information in times of crisis. This study investigates this issue for several Asian jurisdictions, including China, HKSAR, Macau, Taiwan, Japan, South Korea, Malaysia, and Singapore. Doctrinal analysis and case studies are applied to examine their respective fake news laws and policies as well as their implementation. International legal standards that help nations accommodate freedom of expression while effectively fighting fake news are considered. The paper suggests that, despite the intensified efforts to counteract fake news through promptly informing citizens and developing fact-checking and media literacy initiatives during the COVID-19 pandemic, the Asian approach pays insufficient attention to freedom of expression, resting on Asian legal traditions, rather than international legal standards. Although, amidst the outbreak, Asian laws and policy visions have ranged considerably from the more sensible (Japan and South Korea) to extremely restrictive (China and Singapore), overall they pose a threat of state monopolization of the right to define the truthfulness and falsity of content concerning the COVID-19 pandemic.

Bio:

Elena Sherstoboeva is an Assistant Professor at the School of Creative Media and School of Law, the City University of Hong Kong (CityU). Her most recent research and expert projects focus on online content regulation and policies in post-Soviet and Asian contexts as well as on international legal standards regarding digital rights. Elena earned two PhD degrees with distinction - in Journalism (Moscow State University, Russia) and in Communication (Ramon Llull University, Spain). Before joining CityU, Elena worked at the National Research University Higher School of Economics and Moscow State University (MSU) in Russia.

Since 2011, Elena has collaborated as an independent legal expert with international human rights organisations, such as UNESCO, Council of Europe and OSCE Representative on Freedom of the Media by providing comments and reports on internet and media regulation as well as on information laws. She also cooperated as a legal expert with the BBC World Trust Service and the Russian Parliament's Committee on Information Policy. Elena was also the top counsel and CEO of her own Moscow-based legal agency specializing in media and entertainment law.

Elena is an associate member at the UNESCO Chair on Copyright and Other Intellectual Property Rights (Higher School of Economics), the Centre for Comparative & Chinese Law (RCCL, City University of Hong Kong), and Asian Privacy Scholars Network (APSN).

This seminar will be conducted via Zoom. Please make an online reservation by clicking the registration link:
https://cityu.zoom.us/meeting/register/tJYod-GvpzkiGNVWbfqseOETImy2NEoiVVrj

A Zoom meeting ID will be sent to registered participants via email.

Commentator:
Prof. Jiangyu Wang

Moderator:
Dr. Stephenson Chow

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