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Date: March.12th. 2024



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Section 1. Introduction

In today's digital age, information holds an increasingly important role. If time is money, they say knowledge is power. It is for this very reason so many are trying to inform our knowledge and wield that power. Add the many means to get information on the internet and though social media combined the introduction of AI and it leaves little doubt that there is an information warfare constantly being waged.

Digital transformation, which involves the integration of digital technology into all aspects of society, has facilitated the widespread and rapid sharing of information. However, such a transformation also brings with it challenges, notably in the form of what's commonly referred to as "fake news". Fake news has been identified as an emerging cyber risk¹, with the potential to cause significant harm in the national, economic, and social spheres. It is no coincidence that "fake news" has been designated as the word of 2017 by Collins Dictionary². The World Health Organization (WHO) defined the term "infodemic" as an excessive amount of information that makes it difficult for individuals to find trustworthy sources when needed³.

Prior to the emergence of the internet, it used to be a lot more costly to disseminate information, a stark contrast to the present day. The rise of social media has eroded many of the barriers that prevent the spread of fake news. Users can now have the freedom to generate and share information effortlessly, while platforms simplify the creation of dynamic content pages. The shift has given rise to a 24-hour news cycle, emphasizing rapid, attention-grabbing headline stories. In a nutshell, obstacles to fake news production have been removed.

Every minute, 500 hours of content are uploaded to YouTube, 5,000 videos are viewed on TikTok, and 695,000 stories are shared on Instagram⁴. According to a study by researchers at the Massachusetts Institute of Technology (MIT), false tweets were 70% more likely to be retweeted than truthful tweets, and fake news can spread tenfold faster than legitimate news stories⁵. Given the sheer volume of information at the touch of smartphones, deciphering fact from "fiction" has never been more important.

1. Petratos, Pythagoras. "Misinformation, Disinformation, and Fake News: Cyber Risks to Business." *Business Horizons*, November 1, 2021. <https://doi.org/10.1016/j.bushor.2021.07.012>.

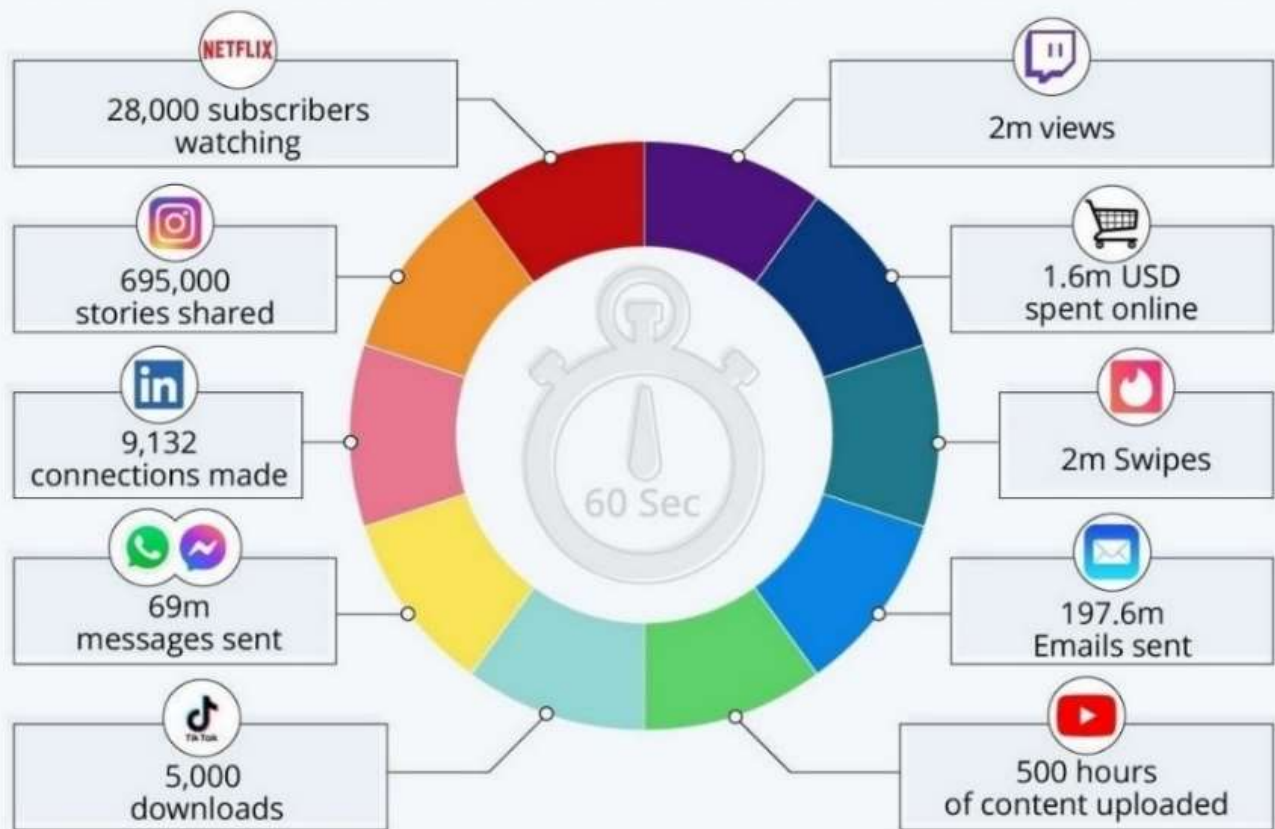
2. Susanwright. "Collins 2017 Word of the Year Shortlist." *Collins Dictionary Language Blog*, November 12, 2020. <https://blog.collinsdictionary.com/language-lovers/collins-2017-word-of-the-year-shortlist/>.

3. World Health Organization. "Novel Coronavirus(2019-nCoV) Situation Report - 13," February 2, 2020. https://www.who.int/docs/default-source/coronaviruse/situation-reports/20200202-sitrep-13-ncov-v3.pdf?sfvrsn=195f4010_6.

4. World Economic Forum. "Here's What Happens Every Minute on the Internet in 2021," May 20, 2022. <https://www.weforum.org/agenda/2021/08/one-minute-internet-web-social-media-technology-online/>.

5. Langin, Katie. "Fake News Spreads Faster than True News on Twitter—Thanks to People, Not Bots." *Science*, March 8, 2018. <https://www.science.org/content/article/fake-news-spreads-faster-true-news-twitter-thanks-people-not-bots>.

Exhibit 1. Estimated Amount of Data Created on the Internet in One Minute

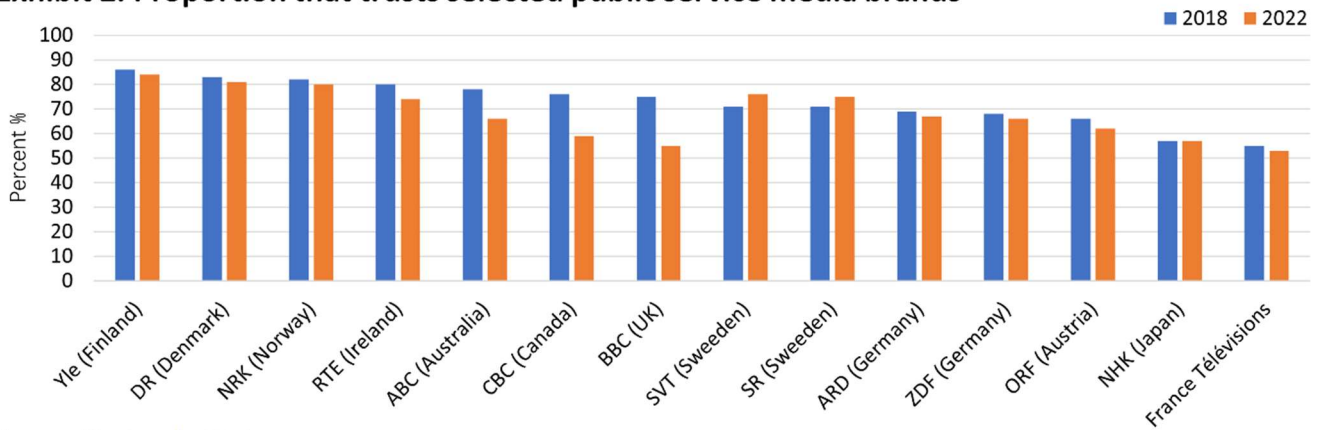


Source: Lori Lewis

Based on a survey carried out by IPSOS across 16 countries last year, 68% of internet users identified social media as the primary platform for fake news, surpassing online messaging apps (38%) and media websites/apps (20%) by a wide margin. This is also pervasive across demographics, with 85% expressing worry about its impact on fellow citizens. Furthermore, 87% believe fake news has had a significant impact on political life, with an equal percentage worried about its influence on upcoming elections, particularly

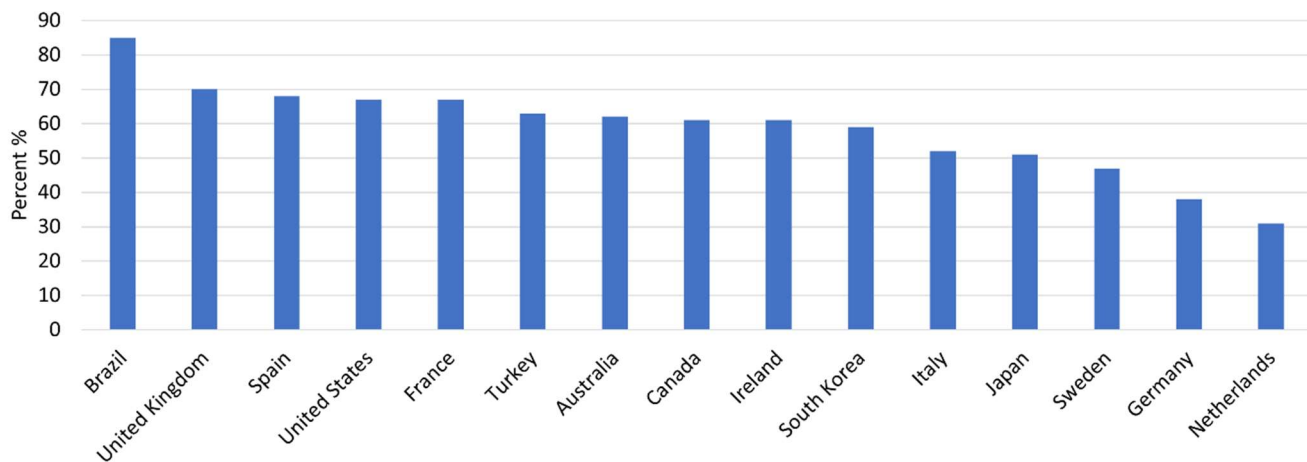
among individuals with a strong interest in politics (63%)⁶. The erosion of trust in the media has become widespread across numerous countries because of the damage inflicted by fake news.

Exhibit 2. Proportion that trusts selected public service media brands



Source: Reuters Institute

Exhibit 3. Share concerned about fake news on the internet (2019)



Source: Reuters Institute

6. Ipsos/UNESCO. "Survey on the Impact of Online Disinformation and Hate Speech," September 2023.
<https://www.ipsos.com/sites/default/files/ct/news/documents/2023-11/unesco-ipsos-online-disinformation-hate-speech.pdf>.

In the United States, a notable 64% perceive fake news leads to confusion about fundamental facts, while approximately 39% express a high level of confidence, and another 45% exhibit moderate confidence in identifying fake news. 23% have admitted either unintentionally or intentionally sharing fake news⁷.

Among Canadians, 10% of respondents claimed to have never been deceived by fake news. 52% admitted to occasionally falling for fake news, 33% reported experiencing it "sometimes", and 5% acknowledged encountering it "frequently". Canadians' susceptibility to fake news slightly surpassed the international average of 86% and the North American average of 87%⁸.

The issue of fake news has garnered significant attention worldwide. Not only in North America, but also globally, the spread of fake news has reached alarming levels undermining trust in institutions, exacerbating social divisions, and influencing elections. In response, scholars have proposed numerous approaches to combat fake news. However, such approaches, as will be discussed later, primarily focused on one action, namely detection, and overlooked tackling the problem through different perspectives of fake news dissemination. Therefore, there is an acute need for a systematic framework to address this pressing issue.

This research report initiates with a review of existing literature, aiming to explore the multifaceted nature of fake news. It encompasses an examination of its definitions, formats, and underlying purposes, alongside an evaluation of legal frameworks and policy responses enacted across diverse global contexts. Following this, subsequent sections dissect the costs, impacts, legal factors, and policy action barriers entwined with the dissemination of fake news. The following analysis culminates in the presentation of policy options and recommendations. By delving into these aspects, the research endeavors to shed light on the complexities surrounding fake news, offering insights into effective strategies to combat fake news, thereby preserving the integrity of public discourse, and fortifying democratic institutions.

Methodology

The research methodology adopted for this study primarily involves gathering data from "reputable sites", incredible articles and previously conducted research. Reputable sites are selected based on their reliability, credibility, and authoritative status in the field relevant to the research topic. These sources may include peer-reviewed journals, government publications, news outlets, academic databases, and official reports from credible organizations and institutions.

7. Barthel, Michael. "Many Americans Believe Fake News Is Sowing Confusion, Pew Research Center." Pew Research Center's Journalism Project, August 2020. <https://www.pewresearch.org/journalism/2016/12/15/many-americans-believe-fake-news-is-sowing-confusion/>.

8. Centre for International Governance Innovation. "CIGI-Ipsos Global Survey on Internet Security and Trust," n.d. <https://www.cigionline.org/cigi-ipsos-global-survey-internet-security-and-trust/>.



Szymon Zephan Capital

Canada's Approach to Combating Fake News

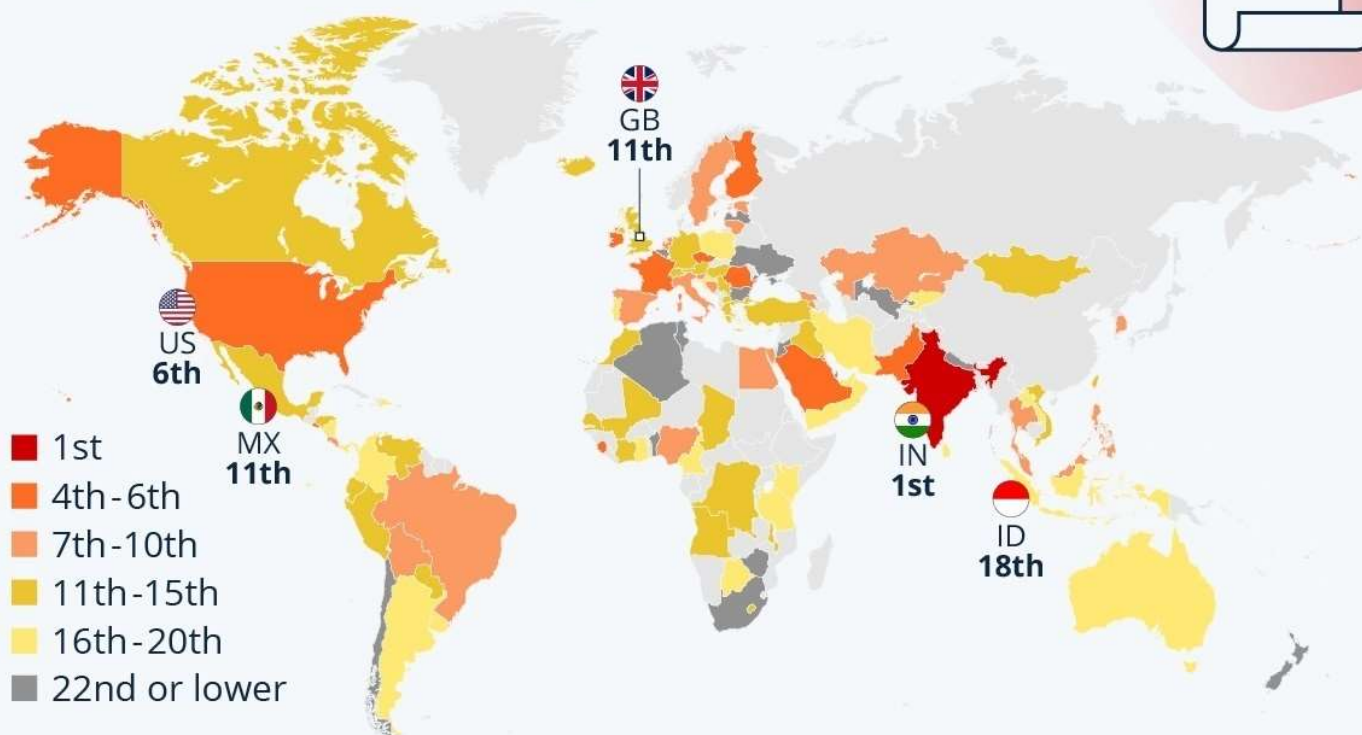
An International Analysis and Recommendations

161 Bay Street, 27th Floor, PO Box 508, Toronto, ON, M5J 2S1, Canada
307 W 38th Street, Unit 296, New York, NY 10018, USA

Exhibit 4

Where False Information Is Posing the Biggest Threat

Rank of "misinformation/disinformation" among 34 risks for the following countries



Based on 1,490 expert opinions across academia, business, government, the international community and civil society collected Sep. 4-Oct. 9, 2023

Source: World Economic Forum

Section 2. Literature Review

2.1 General Definition of Fake News

In 2018, the European Commission set up a high-level group of experts ("the HLEG") to advise on policy initiatives to counter fake news and disinformation spread online⁹. The report started with a shared understanding of disinformation as a phenomenon that goes well beyond the term "fake news". Disinformation as defined in that Report included all forms of false, inaccurate, or misleading information designed, presented, and promoted to intentionally cause public harm or for profit.

Scholars are in consensus regarding the nature of fake news, which is characterized by the dissemination of fabricated information¹⁰. In line with that, a journalist at The Washington Post defines fake news as "intentionally crafted falsehoods aimed at deceiving the public"¹¹.

This is the problem with the term 'fake news,' and instead puts forward an agreed definition of the words 'misinformation' and 'disinformation.'

2.2 Classifying 'Fake News' in Canada and Beyond

In Canada, the general definition of "fake news" is categorized into *Misinformation*, *Disinformation*, and *Mal-information* (MDM) with the differentiating factor being intention. According to the Canadian Centre for Cyber Security¹², "*Misinformation* refers to false information that is not intended to cause harm." while "*Disinformation* refers to false information that is intended to manipulate, cause damage, or guide people, organizations, and countries in the wrong direction." and "*Mal-information* refers to information that stems from the truth but is often exaggerated in a way that misleads and causes potential harm." The Government of Canada's webpage on online disinformation summarizes the definitions as follows: "*Disinformation* is deliberate false information intended to mislead, sometimes referred to as 'fake news'. *Misinformation* is false information shared without intent to mislead."¹³

9. Publications Office of the European Union. "A Multi-Dimensional Approach to Disinformation," 2018.

<https://op.europa.eu/en/publication-detail/-/publication/6ef4df8b-4cea-11e8-be1d-01aa75ed71a1/language-en>.

10. Chan, Eugene. "Analysis of the Challenge in Fake News and Misinformation Regulation Comparative in Global Media Landscape." SHS Web of Conferences, 2023.

https://www.shs-conferences.org/articles/shsconf/pdf/2023/27/shsconf_icprss2023_02018.pdf.

11. Engesser, Sven, Nicole Ernst, Frank Esser, and Florin Büchel. "Populism and Social Media: How Politicians Spread a Fragmented Ideology." *Information, Communication & Society* 20, no. 8 (July 8, 2016): 1109–26.

<https://doi.org/10.1080/1369118x.2016.1207697>.

12. Canadian Centre for Cyber Security, "How to identify misinformation, disinformation and malinformation," February 2022,

<https://www.cyber.gc.ca/en/guidance/how-identify-misinformation-disinformation-and-malinformation-itsap00300>

13. Government of Canada, "Learn about online disinformation," January 11, 2024,

<https://www.canada.ca/en/campaign/online-disinformation/learn-about-it.html>

Global definitions of "fake news" vary widely. For example, Australia's voluntary industry-led Code of Practice on Disinformation and Misinformation defines disinformation as content that is "verifiably false or misleading," posing a credible threat to democratic processes or public goods¹⁴. In the United Kingdom, disinformation is defined as the deliberate creation and sharing of false or manipulated information intended to deceive audiences for various purposes¹⁵. In Ethiopia, it refers to false speech disseminated with the knowledge of its falsehood, likely to incite public disturbance or conflict¹⁶.

* In this report, the authors employ the term "fake news" as a general descriptor for untruthful information.

2.3 Spectrum of Fake News

Fake news encompasses various types, including news satire, parody, fabrication, photo manipulation, advertising, and propaganda¹⁷. Additionally, other misleading content may include illegal forms such as defamation, hate speech, incitement, fraud, misrepresentation, and deceit¹⁸. Something worth mentioning is that recently emerged AI technologies (deep learning), enable the creation of *Deepfakes*, which produce synthetic contents depicting fake events. Notably, deepfakes are exceptionally difficult to discern¹⁹.

2.4 Drivers of Fake News

The proliferation of fake news is driven by diverse motivations²⁰, including (1) to undermine national security, often through state-sponsored disinformation campaigns; (2) to further political agendas, whether by domestic groups or influenced by ideological biases; (3) sharing misinformation without clear political aims, sometimes unintentionally, but still achieving widespread circulation, occasionally going viral; (4) for entertainment purposes, appearing in parody, satire, or other humorous contexts (can be an underlying political purpose in disguise); (5) for financial gain.

-
14. Digital Industry Group Inc., 'Australian Code of Practice on Disinformation and Misinformation,' December 2022, Ss. 3.2 & 3.4, <https://digi.org.au/wp-content/uploads/2022/12/Australian-Code-of-Practice-on-Disinformation-and-Misinformation-FINAL--December-22-2022.docx.pdf>
 15. House of Commons Digital, Culture, Media, and Sport Committee, "Disinformation and 'fake news': Interim report: Government Response to the Committee's Fifth Report of Session 2017-19," October 2018, 2, <https://publications.parliament.uk/pa/cm201719/cmselect/cmcmds/1630/1630.pdf>
 16. "Hate Speech and Disinformation Prevention and Suppression Proclamation", S. 2.3, <https://www.accessnow.org/wp-content/uploads/2020/05/Hate-Speech-and-Disinformation-Prevention-and-Suppression-Proclamation.pdf>
 17. Petratos, Pythagoras N. "Misinformation, Disinformation, and Fake News: Cyber Risks to Business." *Business Horizons* 64, no. 6 (November 2021): 763–74. <https://doi.org/10.1016/j.bushor.2021.07.012>.
 18. Allcott, Hunt, and Matthew Gentzkow. "Social Media and Fake News in the 2016 Election." *Journal of Economic Perspectives* 31, no. 2 (May 1, 2017): 211–36. <https://doi.org/10.1257/jep.31.2.211>.
 19. Sample, Ian. "What Are Deepfakes – and How Can You Spot Them?" the Guardian, October 28, 2023. <https://www.theguardian.com/technology/2020/jan/13/what-are-deepfakes-and-how-can-you-spot-them>.
 20. JSTOR. "Unpacking Fake News," January 1, 2018. <https://www.jstor.org/stable/resrep17648.5>.

Exhibit 5. Types of Fake News by the European Association for Viewers' Interests

Type of Fake News	Description	Impact	Motivation
propaganda 	<ul style="list-style-type: none"> adopted by governments, corporations and non-profits to manage attitudes, values and knowledge appeals to emotions can be beneficial or harmful 	neutral	politics/power
partisan 	<ul style="list-style-type: none"> ideological and includes interpretation of facts but may claim to be impartial privileges facts that conform to the narrative whilst forgoing others emotional and passionate language 	medium	politics/power
clickbait 	<ul style="list-style-type: none"> eye catching, sensational headlines designed to distract often misleading and content may not reflect headline drives ad revenue 	low	money
conspiracy theory 	<ul style="list-style-type: none"> tries to explain simply complex realities as response to fear or uncertainty not falsifiable and evidence that refutes the conspiracy is regarded as further proof of the conspiracy rejects experts and authority 	high	politics/power
sponsored content 	<ul style="list-style-type: none"> advertising made to look like editorial potential conflict of interest for genuine news organisations consumers might not identify content as advertising if it is not clearly labeled 	low	money
pseudoscience 	<ul style="list-style-type: none"> purveyors of greenwashing, miracle cures, anti-vaccination and climate change denial misrepresents real scientific studies with exaggerated or false claims often contradicts experts 	high	politics/power
satire and hoax 	<ul style="list-style-type: none"> social commentary or humour varies widely in quality and intended meaning may not be apparent can embarrass people who confuse the content as true 	low	humour/fun
misinformation 	<ul style="list-style-type: none"> includes a mix of factual, false or partly-false content intention can be to inform but author may not be aware the content is false false attributions, doctored content and misleading headlines 	high	politics/power
error 	<ul style="list-style-type: none"> established news organisations sometimes make mistakes mistakes can hurt the brand, offend or result in litigation reputable orgs publish apologies 	low	passion
bogus 	<ul style="list-style-type: none"> entirely fabricated content spread intentionally to disinform guerrilla marketing tactics; bots, comments and counterfeit branding motivated by ad revenue, political influence or both 	high	(mis)inform

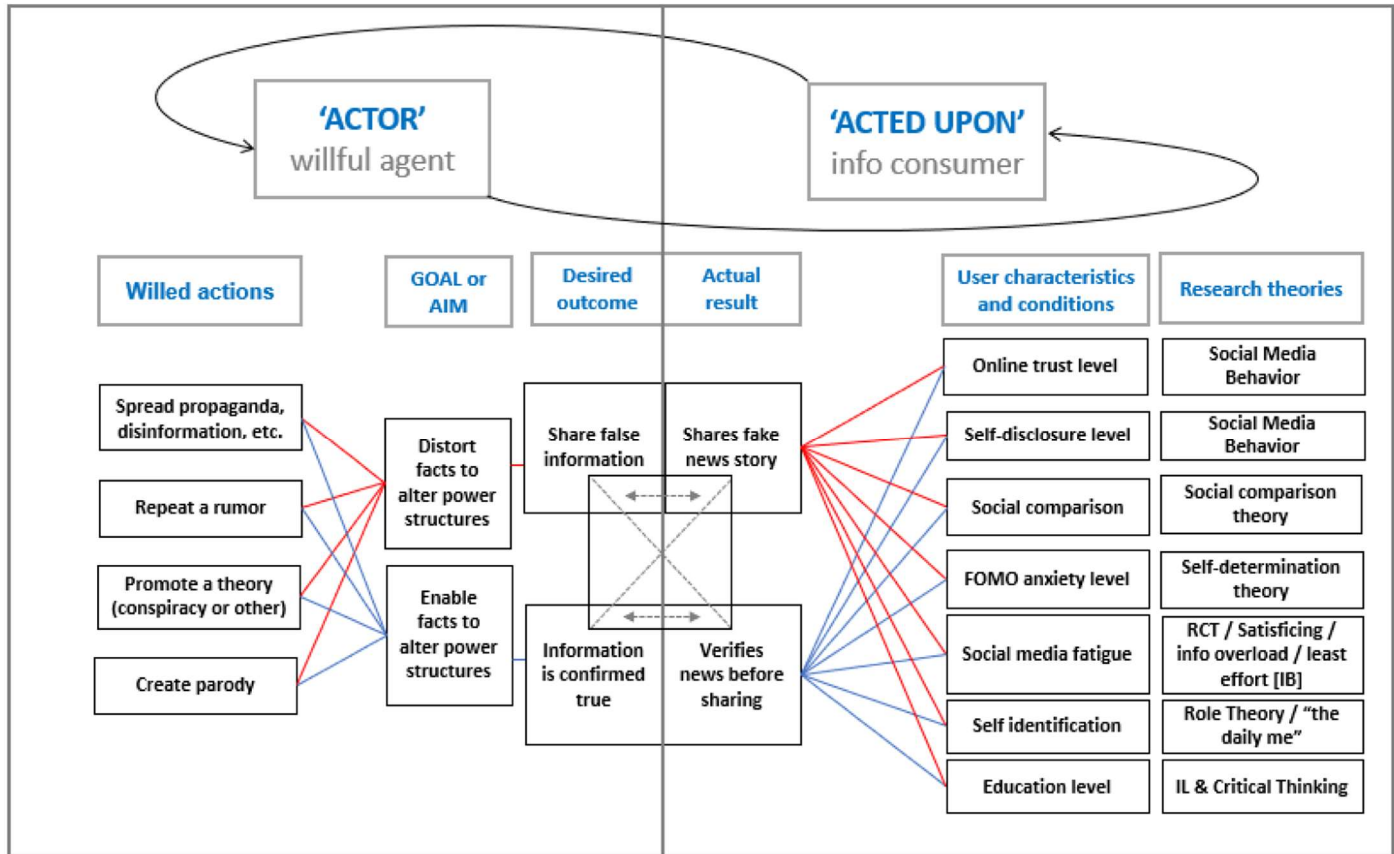
Source: the European Association for Viewers Interests (EAVI.eu)

2.5 Channels of Fake News

The dissemination of fake news is often through multitude channels and across various platforms. Undoubtedly, social media, with their massive network effect and rapid information sharing capabilities, are the primary channel. The use of bots, trolls, and echo chambers also amplify false narratives. Additionally, fringe websites and unregulated news outlets often serve as breeding grounds for fabricated stories that can quickly gain traction online. Furthermore, the lack of fact-checking and editorial oversight in some traditional media outlets inadvertently contribute to the proliferation of fake news²¹. Last but not least, word of mouth.

21. Martens, Bertin. "The Digital Transformation of News Media and the Rise of Disinformation and Fake News." *JRC Digital Economy, Joint Research Centre (JRC), European Commission*, 2018. <http://hdl.handle.net/10419/202231>.

Exhibit 6. A Comprehensive Model for the Spread of Fake News



Source: Weiss, Andrew P., Ahmed Alwan, Eric P. Garcia, and Antranik T. Kirakosian. "Toward a Comprehensive Model of Fake News: A New Approach to Examine the Creation and Sharing of False Information." *Societies* 11, no. 3 (July 16, 2021)

"Social networks are now tailor-made for disinformation, but much more should be done to prevent it from spreading widely," noted Mollica. "As we've seen, however, trending topics and algorithms monetize negativity and anger. Until that practice is curbed, we'll see disinformation continue to dominate feeds."²²

22. Suci, Peter. "X Is The Biggest Source Of Fake News And Disinformation, EU Warns." *Forbes*, September 26, 2023. <https://www.forbes.com/sites/petersuci/2023/09/26/x-is-the-biggest-source-of-fake-news-and-disinformation-eu-warns/>.

Table I. Comparison of Selected Social Media Platforms' Response to Fake News

Twitter (now X)

- **Positive Aspect**
Community Notes allow users to collaboratively provide context for potentially misleading posts. These notes, now visible to all users in the US, aim to foster transparency and empowerment by enabling diverse perspectives to contribute and validate information. Additionally, X has made its Community Notes algorithm open source on GitHub, encouraging transparency, and allowing for community-driven improvements.
- **Negative Aspect**
Ends Covid misinformation policy under Mask's leadership²³.

Facebook (Meta)

- **Positive Aspect**
Despite challenges posed by advanced AI technology and the necessity for stricter regulations, Meta exposed 4,800 fake social media accounts, designed to spread polarizing political content ahead 2024 US election. While this underscores the persistent threat of foreign interference, Meta's prompt identification and elimination of the network demonstrates its commitment to combatting disinformation²⁴.
- **Negative Aspect**
The Meta's Oversight Board criticizes for failing to assess the impact of its platforms on public health and human rights during the COVID-19 pandemic. While supporting some content moderation actions, it urges Meta to be more transparent in removal decisions, commission an impact assessment focusing on algorithmic amplification of health misinformation, disclose government requests regarding COVID-related content, and enhance support for independent research²⁵

23. BBC News. "Twitter Ends Covid Misinformation Policy under Musk," November 30, 2022.

<https://www.bbc.com/news/technology-63796832>.

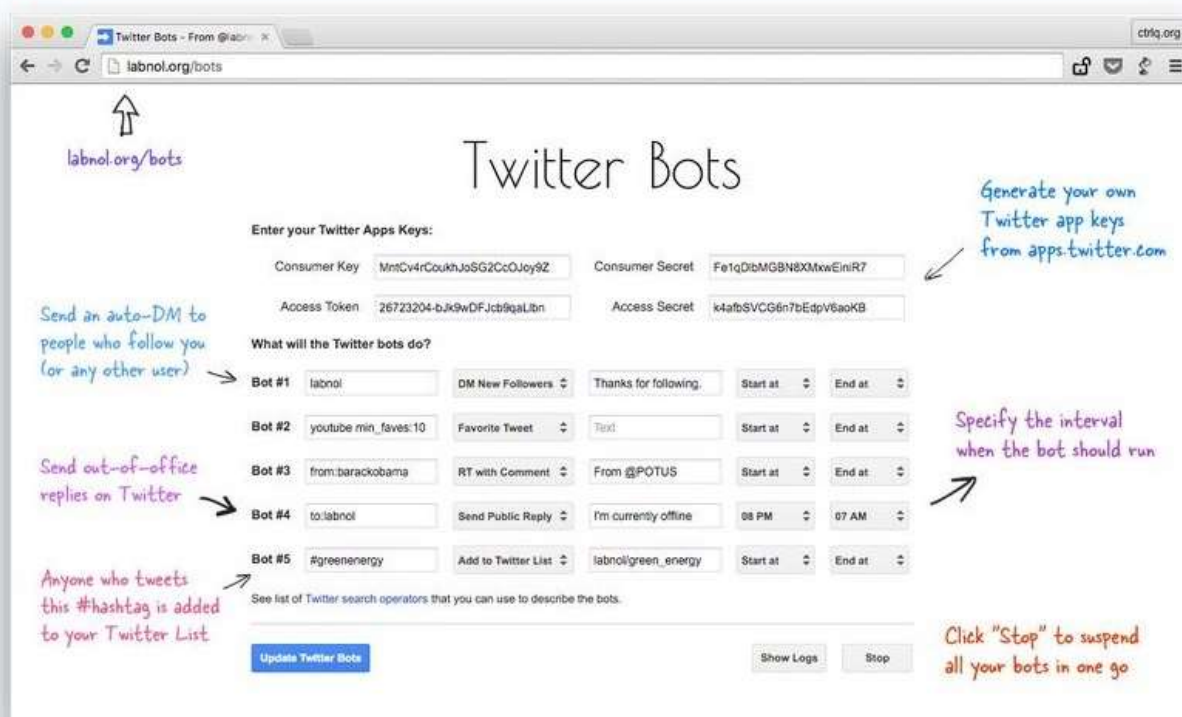
24. CBS News. "Meta Shuts down Thousands of Fake Facebook Accounts Primed to Polarize Voters Ahead of 2024," November 30, 2023.

<https://www.cbsnews.com/sanfrancisco/news/meta-shuts-down-fake-facebook-accounts-polarize-voters-before-2024-elections/>.

25. Weatherbed, Jess. "Meta Urged to Investigate Its Role in Amplifying Misinformation." The Verge, April 20, 2023.

<https://www.theverge.com/2023/4/20/23690853/meta-oversight-board-report-investigation-covid-amplifying-misinformation>.

Exhibit 7. How to Write a Twitter Bot in 5 Minutes



Step A: Make an App for the Twitter Bot

1. Create a new account at Twitter that will work as a bot. Then go to apps.twitter.com, sign-in with your new Twitter account and create a **Twitter application**. Give your app a name, description and put any URL in the website field. Agree to the developer terms and submit the form.
2. Once the Twitter app has been created, click *Modify App Permissions* under Application Settings and change the access level to *Read, Write and Access Direct Messages*.
3. Next switch to the *Keys and Access Tokens* tab and click the *Create My Access Token* button. Twitter will generate the Consumer Keys and Access tokens that we will need in a next step.

Step B: Configure your Twitter bots

1. Go to [Twitter Bots](https://labnol.org/bots) to open the Twitter bots application.
2. Enter the Twitter Consumer Key, Consumer Secret, Access Token and Access Secret that were generated in the previous step.
3. Next, you need to specify the search phrase for the bots. The app will find all new tweets that match this search phrase and process them all, one at a time.
4. Click Save to initialize the Twitter bot. That's it. The bots are now initialized and they'll auto-run in the background.

Table II. Review of the Legal frameworks and Policy responses to fake news

Entity	Legal Frameworks	Description
Canada	<p>Bill C-27 Digital Charter Implementation Act, 2022</p>	<p>To establish a comprehensive legal framework addressing various aspects of digital privacy, data protection, and the regulation of AI systems in Canada.</p> <p>The Artificial Intelligence and Data Act (AIDA) establishes regulations governing the design, development, and utilization of AI systems. It includes measures to address risks such as bias and harm to individuals and prohibits practices that could cause serious harm.</p> <p>The Consumer Privacy Protection Act (CPPA) updates regulations from the Personal Information Protection and Electronic Documents Act (PIPEDA), governing how private sector organizations collect, use, and disclose personal information. The goal is to modernize and bolster privacy protections for individuals, while also empowering the Privacy Commissioner to ensure compliance.</p>
France	<p>Bill on the Fight Against the Manipulation of Information</p> <p><u>Organic Law Against Manipulation of Information,</u> No. 772;</p> <p><u>Bill on the Fight Against the Manipulation of Information,</u> No. 799</p>	<p>To foster transparency and integrity in online information sharing, while combating misinformation</p> <p>It grants judges authority over internet service providers and hosts to halt the dissemination of inaccurate information, enhances regulatory bodies' powers to prevent the broadcasting of misleading content, mandates internet hosts to facilitate user reports of fake information, and promotes transparency in online platform operators' relationships with advertisers.</p> <p>To curb the dissemination of false information and propaganda during election seasons by granting judges the authority to promptly order the removal of 'fake news'.</p> <p>Judges gain authority to combat inaccurate online allegations by targeting ISPs and hosts, while the French Audiovisual Council can now halt TV broadcasts overseen by foreign states if they threaten France's core interests. Additionally, internet hosts are obligated to aid in user reporting of false information and alert authorities, and online platform operators must ensure transparent dealings with advertisers.</p>

Table II. Cont'd.

Entity	Legal Frameworks	Description
US	Section 589F (2021) National Defense Authorization Act	Allow the Secretary of Defense to conduct an intelligence assessment of the threat posed by deep fakes to servicemembers and their families.
Germany	Act to Improve the Enforcement of Law in Social Network	To remove fake news, misinformation, and malicious information from the internet (particularly targeting social media platforms). Promptly remove harmful internet content, as determined by court order. Requires the removal of content deemed detrimental to public welfare within 24 hours of a court's ruling on its legality.
Australia	Code of Practice on Disinformation and Misinformation	To create an industry-led, <i>voluntary</i> code of conduct on disinformation with oversight by the Australian Communications and Media Authority (ACMA) ²⁶ . Protecting freedom of expression is a fundamental guiding principle in this document, as well as the protection of user privacy ²⁷ . Adopted measures include 'disrupting' monetization incentives of disinformation ²⁸ , improving transparency on sources of information (publishing metadata), and information campaigns ²⁹ .
UK	National Security Communications	To reject the usage of terms related to fake news, thereby combating misinformation, and maintaining the integrity of national security communications. Seeks to ensure that accurate and reliable information is disseminated to the public, safeguarding against the potential risks posed by false narratives and disinformation campaigns.

26. Australian Government, 'Regulating in the digital age: Government Response and Implementation Roadmap for the Digital Platforms Inquiry,' 2019, 7 https://www.aph.gov.au//media/Estimates/ec/add1920/Tabled_documents/Tabled_Doc10.pdf?la=en&hash=25B37672EA2225DAB544A15B3C67EE9FD7C2E14E

27. Digital Industry Group Inc., 'Australian Code of Practice on Disinformation and Misinformation,' December 2022, s. 2, https://digi.org.au/wp-content/uploads/2022/12/Australian-Code-of-Practice-on-Disinformation-and-Misinformation-FINAL_-_December-22-2022.docx.pdf

28. Digital Industry Group Inc., 'Australian Code of Practice...' S. 5.15-5.18

29. Digital Industry Group Inc., 'Australian Code of Practice...' S. 5.9 (I)

Table II. Cont'd.

Entity	Legal Frameworks	Description
Brazil	Bill 2630 Fake News Bill Draft	<p>To impose heavy fines tech companies should disinformation stay on the website for longer than an hour.</p> <p>*Not officially passed, due to a setback in 2023 following Google's protest, amid significant backlash over potential censorship implications.</p>
Ethiopia	Hate Speech and Disinformation Prevention and Suppression Proclamation	<p>To combat the spread of hate speech and disinformation, promote social cohesion, and protect vulnerable groups from harm.</p> <p>It seeks to establish regulations and enforcement mechanisms to mitigate the negative impacts of such content on individuals, communities, and democratic societies. Hereby creating tangible definitions on disinformation and specific punishments depending on how the disinformation was disseminated. A key feature of their legislation is the explicit exemption of academics, and creatives. This is rarely found in 'Western World' legislation.</p>
India	Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021	<p>To regulate social media platforms, digital news organizations, and streaming services, primarily to oversee online content.</p> <p>Include provisions aimed at combating the spread of fake news and misinformation by mandating social media platforms to implement mechanisms for removing or disabling access to content that is deemed unlawful or misleading.</p>
EU	<p>Strengthened Code of Practice on Disinformation</p> <p>*A voluntary policy measure</p>	<p>To uphold self-regulatory standards among industry leaders³⁰. Signatories include Meta, Microsoft, Google, TikTok, the World Federation of Advertisers, and 38 others³¹.</p> <p>Focus areas include demonetization of disinformation, user tools for flagging potential disinformation, and strengthening the permanent task force comprised of signatory representatives.</p>

End of Table II.

30. EU Digital Strategy website, '2022 Strengthened Code of Practice on Disinformation,'

<https://digital-strategy.ec.europa.eu/en/library/2022-strengthened-code-practice-disinformation>

31. EU Digital Strategy website, 'Signatories of the 2022 Strengthened Code of Practice on Disinformation,'

<https://digital-strategy.ec.europa.eu/en/library/signatories-2022-strengthened-code-practice-disinformation>

Table III. List of Recommendations from International Organizations

United Nations (US)³²

- Strengthen regulatory tools for transparency.
- Reduce financial incentives for disinformation.
- Establish third-party oversight bodies.
- Launch broad information campaigns.
- Avoid overly restrictive measures to preserve freedom of expression, including satire and humor.
- Avoid heightened censorship among journalists, academics, and artists if policies are too restrictive.
- Solutions to address root causes, as disinformation are multifaced and stem from various tensions.

Organization of American States (OAS)³³

- Strengthen legal frameworks for transparency in electoral advertising.
- Public officials should fact-check and share sources, avoiding involvement in political campaigns that use disinformation.
- Protect net neutrality.
- Foster cooperative agreements between internet platforms, intermediary companies, and the state.
- Establish unified definitions of MDM/Fake News.

Association of Southeast Asian Nations (ASEAN)^{34, 35, 36}

- Cross-collaboration among government levels, departments, and sectors.
- Advocates for a network of third-party fact-checkers, including the use of AI.
- national hotline for citizen inquiries of public personas (influencers) in information campaigns
- Emphasizes the need for law enforcement agencies capable of enforcing 'Anti-Fake News' legislation.
- Avoid ineffective legislation and overly broad police access to citizens' online data.

End of Table III

32. UN Secretary General, 'Countering disinformation...' S. 4,5,8

33. OAS, 'Guide to guarantee freedom of expression...', 24

34. ASEAN, "ASEAN Guideline on Management of Government Information in Combatting Fake News and Disinformation in the Media," June 2023, 21, https://asean.org/wp-content/uploads/2023/11/Guideline-on-Management-of-Government-Information_adopted.pdf.

35. ASEAN, "ASEAN Guideline on Management...", 52.

36. Global Affairs Canada, 'Canada and the Association of Southeast Asian Nations,'

https://www.international.gc.ca/world-monde/international_relations-relations_internationales/asean/index.aspx?lang=eng#a1

As it looks, the majority of western nations are aiming to combat disinformation through means other than direct legislation on the topic. For instance, the OAS suggests strengthening existing legislation to include arguments for 'fake news', such as in the exceptions section. The UN, the EU as well as Australia are large supporters of self-regulation within the key industries (not limited to social media platforms, internet providers, advertising leaders and more). Moreover, the UK is focused on combating the topic through mass education campaigns. While all of these institutions agree on demonetizing disinformation which is often interconnected with the advertising industry and ensuring no legislation undermines Article 19 of the Universal Declaration of Human Rights (or Article 2(b) of the Canadian Charter of Fundamental Rights and Freedoms).

It can also be understood from Brazil that no legislation which puts full responsibility on 3rd party search engines (Google) or the social media platforms (Meta) will be achievable. It must be an interconnected effort among the numerous stakeholders.

Recommendations from Canadian Study

The current Liberal government in Canada has set up a Disinformation page, warning of the dangers and with suggestions on how to counteract it³⁷.

In the 2022 Report of the Canadian Citizens' Assembly on Democratic Expression³⁸, the Assembly endorsed 43 recommendations aimed at safeguarding and enhancing Canada's democracy while reducing online harms, grounded in seven core values [see Table IV and Exhibit 8]. Emphasizing the need to balance regulation against censorship and protect vulnerable groups from online hate, they propose penalties for irresponsible behavior by digital service providers and users. Key suggestions include the establishment of a Digital Services Regulator (DSR) independent of government to set safety standards and enforce compliance, along with an Ombudsperson's Office to handle complaints, spearhead public education on digital literacy, and facilitate redress and healing for affected parties, among others.

The Government of Canada was putting in place a transparent and accountable regulatory framework for online safety in Canada³⁹. Now, more than ever, online services must be held responsible for addressing harmful content on their platforms and creating a safe online space that protects all Canadians.

(Mun: No status update found, also check ref 39 pls.)

37. Canada.ca. "Online Disinformation," January 29, 2024.

<https://www.canada.ca/en/campaign/online-disinformation.html>.

38. Citizens' Assembly on Democratic Expression. "Citizens' Assembly on Democratic Expression," n.d.

<https://www.commissioncanada.ca/>.

39. Heritage, Canadian. "Backgrounder – Government of Canada Introduces Legislation to Combat Harmful Content Online" February 26, 2024.

<https://www.canada.ca/en/canadian-heritage/news/2024/02/backgrounder--government-of-canada-introduces-legislation-to-combat-harmful-content-online-including-the-sexual-exploitation-of-children.html>.

Table IV. Seven Core Values of Canadian Citizens' Assembly on Democratic Expression

- 1** **Desire for Balanced Regulation**
Members advocate for regulations on online platforms while emphasizing the need to uphold freedom of expression and promote user education and incentives rather than overly restrictive measures.

- 2** **Protection of Vulnerable Groups**
There is a strong emphasis on protecting vulnerable demographics such as children, seniors, and less tech-savvy individuals from online harms through regulatory measures and educational initiatives.

- 3** **Urgency in Regulation**
Members stress the urgency of enacting regulations to mitigate online harms and promote online safety, with a particular focus on combating fake accounts, ensuring individual accountability, and mandating algorithm transparency.

- 4** **Shared Accountability**
Both digital service providers and users are seen as sharing responsibility for fostering a safer online environment, with suggestions for mechanisms to hold users accountable and promote transparency from platforms.

- 5** **Platform Responsibility**
Digital service providers are urged to acknowledge the risks they pose, discourage harmful behavior, and ensure transparency in data collection and usage, with a particular emphasis on protecting vulnerable groups and providing accessible education.

- 6** **User Responsibility**
Users are encouraged to treat online spaces with respect, honesty, and tolerance, while also educating themselves and others, particularly children and seniors, about online risks and responsible behavior.

- 7** **Mutual Responsibility**
There is consensus that both digital service providers and users have a duty to act responsibly online, although some members emphasize the greater responsibility of platforms due to their role in facilitating harmful content dissemination.

End of Table IV

Exhibit 8. Highlights of recommendations from the Canadian Citizens' Assembly on Democratic Expression

No. 1

Establish an arm's length **Digital Services Regulator** to develop and enforce standards.

No. 2

Establish a **Digital Ombudsperson's Office** to track complaints and publish periodic reports on issues of concern to Canadians.

No. 3

Label and **severely limit the use of bots** on social media platforms.

No. 4

Ensure that **digital services providers conduct a wide range of risk assessments** that demonstrate the safety of their services, with particular regard for impacts on children, marginalized groups, human rights, as well as emotional or psychological harms.

No. 5

Ensure that platform standards **take into account regional contexts** and culture.

No. 6

Create a **voluntary, cross-platform system** of verified users.

No. 7

Affirm the right of users to own their data and assert greater control over their online experience.

No. 8

Make significant **investments in digital literacy** and user awareness.

No. 9

Create a **unique identifier system** for online news that can help users confirm its validity and source.

Source: Citizens' Assembly on Democratic Expression: Recommendations for reducing online harms and safeguarding human rights in Canada. Final Report 2022-23.

3. Cost and Impact of Disinformation

3.1 on the Economy

According to a study by Cybersecurity company CHEQ in collaboration with the University of Baltimore, the epidemic of online fake news exacts a staggering toll of \$78 billion annually on the global economy⁴⁰. Additionally, more than half (54%) of business leaders anticipate that the effects of misinformation will worsen in the next 20 years⁴¹.

- Financial Sector.

False information misleads investors and institutions, leading to market volatility and decreased efficiency. Research analyzing fake news events from 2007 to 2019 demonstrates that equity markets promptly react to false information, showing negative news prompts negative responses and positive news prompts positive reactions. The study goes beyond insider-generated fake news, examining the broader impact of misinformation from external sources. underscores the economic repercussions of reputational risk and media communication's influence on financial markets⁴².

Case 1: Market Turbulence Triggered by Pentagon Explosion Viral Image⁴³

In May 2023, after an image depicting an explosion near the Pentagon went viral, shared via a verified Twitter account resembling Bloomberg News called Bloomberg Feed, the market experienced a temporary decline. The Dow Jones Industrial Average saw a drop of 80 basis points (bps), and the S&P 500 fell by 26 bps.



Image Source: CNN

40. "THE ECONOMIC COST OF BAD ACTORS ON THE INTERNET FAKE NEWS | 2019."

<https://s3.amazonaws.com/media.mediapost.com/uploads/EconomicCostOfFakeNews.pdf>

41. Admin, Techinformed. "How Misinformation Can Impact Businesses." TechInformed, May 15, 2023.

<https://techinformed.com/how-misinformation-can-impact-businesses/>.

42. Arcuri, Maria Cristina, Gino Gandolfi, and Ivan Russo. "Does Fake News Impact Stock Returns? Evidence from US and EU Stock Markets." *Journal of Economics and Business* 125–126 (May 2023): 106130.

<https://doi.org/10.1016/j.jeconbus.2023.106130>.

43. Bond, Shannon. "Fake Viral Images of an Explosion at the Pentagon Were Probably Created by AI." NPR, May 22, 2023.

<https://www.npr.org/2023/05/22/1177590231/fake-viral-images-of-an-explosion-at-the-pentagon-were-probably-created-by-ai>

Case 2: Stock Plunge: Eli Lilly's Battle with Misinformation and Legal Challenges

In November 2022, pharmaceutical giant Eli Lilly witnessed a significant drop (-5%) in its stock price due to a misleading tweet from a Twitter Blue-verified account falsely claiming the company's plan to provide free insulin. Despite Eli Lilly promptly issuing an apology through their authentic Twitter account, acknowledging the tweet's misleading nature⁴⁴. In fact, the critical factor contributing to the stock decline was a legal judgment demanding \$176.5 million for patent infringement⁴⁵. While the fake tweet garnered limited traction with only 3,000 likes and 500 retweets, it appears the legal dispute had a more substantial impact on Eli Lilly's stock fluctuation than the online misinformation (another misleading information).



Image Source: buzzfeed news

Case 3: The Undercover Investigation into Stock Market Manipulation

In 2014, industry insider Rick Pearson was approached by an investment-relations firm to promote certain stocks by writing articles with false information for compensation, without disclosing this information. Rick Pearson decided to go undercover to investigate how common this practice was and was able to identify one hundred false, paid-for articles by other authors who failed to disclose their compensation. Rick provided this information to the Securities and Exchange Commission (SEC) and the SEC began investigating in early 2014. These types of articles impacted the stock market activity and prices. These fake articles “were paid for by a promotional firm to deceive the market and manipulate the stock price”⁴⁶.

44. Eli Lilly Japan K. K. and Eli Lilly Research Labor. “Summary of Toxicity Studies on Tricyclazole.” *Journal of Pesticide Science* 14, no. 3 (1989): 407–13.
<https://doi.org/10.1584/jpestics.14.407>.

45. Holman, Christopher M. “Eli Lilly v. Teva: Generic Companies Infringe Under Akamai IV in Case of Divided Infringement.” *Biotechnology Law Report* 36, no. 2 (April 2017): 31–37.
<https://doi.org/10.1089/blr.2017.29004.cmh>.

46. Kogan, Shimon, Tobias J. Moskowitz, and Marina Niessner. “Fake News: Evidence from Financial Markets.” *SSRN Electronic Journal*, 2018.
<https://doi.org/10.2139/ssrn.3237763>

- Consumer Staples

Fake news should be treated as crises due to their potential to severely damage a brand's reputation and undermine consumer trust. Spread rapidly and widely through social media and online platforms, fake news can lead to decreased sales, loss of customers, and long-term reputational damage if left unaddressed.

Case 1: Pizzagate Conspiracy Leads to Gunman's Attack on D.C. Pizzeria.

A false conspiracy theory linking a Washington, D.C. pizzeria to child trafficking incited a gunman to open fire inside the restaurant, resulting in property damage and reputational harm. This incident not only posed immediate legal implications, such as potential lawsuits and criminal charges, but also inflicted long-lasting financial repercussions on the affected business, including costs associated with property repair, loss of revenue, and the need for extensive reputation management efforts to rebuild trust with consumers⁴⁷.



Image Source: BBC

Case 2: Fake News Alleging that Kurkure Snacks Contain Plastic.

The spread of fake news alleging that Kurkure snacks contain plastic had significant financial implications for PepsiCo India, the parent company of Kurkure. As a result of the misinformation, consumers expressed concerns about the safety of Kurkure products, leading to a decline in sales and consumer confidence. The company had to invest resources in addressing the false claims, including launching educational campaigns to debunk the misinformation and reassure consumers about the safety and quality of Kurkure snacks⁴⁸.

47. Lewandowsky, S. (2022). Fake news and participatory propaganda. In *Cognitive Illusions* (pp. 324-340). Routledge

48. Mishra, A., & Samu, S. (2021). Impact of fake news on social image perceptions and consumers' behavioral intentions. *The Journal of Consumer Marketing*, 38(6), 601–613.



Image Source: RVCJ Media

Case 3: Effect of Greenwashing on the Industry, Firm, and Consumers

The Volkswagen emissions scandal, which unfolded in 2015, exemplifies how false claims of eco-friendliness, or "greenwashing," can severely harm consumers and brand reputation. The revelation that Volkswagen had installed software to cheat emissions tests in their diesel vehicles shattered the image of the company as environmentally responsible and trustworthy. This deceptive practice not only led to billions of dollars in fines and legal settlements but also caused a decline in sales and stock value, and irreparably damaged Volkswagen's brand reputation. The scandal underscores the importance of transparency and authenticity in corporate messaging and serves as a cautionary tale about the consequences of deceptive practices in marketing and advertising⁴⁹.



Image Source: Collective Fashion Juice

<https://doi.org/10.1108/JCM-05-2020-3857>

49. Topal, İ., Nart, S., Akar, C., & Erkollar, A. (2020). The effect of greenwashing on online consumer engagement: A comparative study in France, Germany, Turkey, and the United Kingdom. *Business Strategy and the Environment*, 29(2), 465-480

- Tech Sector

Misleading information can breed confusion and skepticism about emerging technologies, hindering their adoption and innovation. Fake news creates confusion and fear, bring additional challenges for both tech companies and users. Deep fake is a particularly important case, as it presents a double-edged sword. While it opens new possibilities in fields such as entertainment and content creation, its use for spreading misinformation and manipulating public perception raises serious concerns.

Case 1: Lithium Battery Fire Hype⁵⁰

In July, the Fremantle Highway, a Panamanian-flagged, Japanese-owned ship carrying 3,800 new cars, including 498 electric cars, caught fire while en route from the Atlantic Ocean to Singapore. Media Speculation arose that an EV battery might have caused the fire, leading to one fatality. “The number of electric cars is said to be higher than first thought,” noted the global shipping news outlet TradeWinds⁵¹, “and could explain the North Sea casualty.” However, investigations revealed that all electric cars were in good condition and that the fire likely originated several decks above where the EVs were stored, contradicting earlier rumors about the cause of the fire.



Image Source: Bloomberg

50. Jones, Willie. "Extinguishing the EV Battery Fire Hype." IEEE Spectrum, December 8, 2023.

<https://spectrum.ieee.org/lithium-ion-battery-fires>.

51. TradeWinds | Latest shipping and maritime news. "K Line Reveals Close to 500 Electric Vehicles on Fire-Ravaged Car Carrier Fremantle Highway," July 28, 2023.

<https://www.tradewindsnews.com/casualties/k-line-reveals-close-to-500-electric-vehicles-on-fire-ravaged-car-carrier-fremantle-highway/2-1-1492734>.

Case 2: Exaggerated Claims about AI, Automation, and Unemployment

On May 8, 2023, a Twitter-verified user, Paul.ai, who self identifies as a "technology and AI educator", falsely claimed without evidence that three major tech companies had collectively fired thousands of employees due to disruptions caused by AI. Specifically, the user stated that IBM, Google, and Microsoft had terminated 7,800, 12,000 and 10000 employees due to AI.

The fact is, IBM had announced a pause on new hiring, anticipating that 7,800 jobs could eventually be replaced by AI⁵². Google's mass layoff plan was attributed to broader economic conditions, including concerns about a recession⁵³. Similarly, Microsoft's termination of 10,000 employees is not due to AI but rather to general economic circumstances⁵⁴ (Reduced revenue expansion following the spike in demand caused by remote work arrangements during the pandemic).



Image Source: PressONE.PH

52. Reuters. "IBM to Pause Hiring in Plan to Replace 7,800 Jobs with AI, Bloomberg Reports," May 1, 2023.

<https://www.reuters.com/technology/ibm-pause-hiring-plans-replace-7800-jobs-with-ai-bloomberg-news-2023-05-01/>.

53. Browne, Ryan. "Google to Lay off 12,000 People — Read the Memo CEO Sundar Pichai Sent to Staff." CNBC, January 20, 2023.

<https://www.cNBC.com/2023/01/20/google-to-lay-off-12000-people-memo-from-ceo-sundar-pichai-says.html>.

54. Novet, Jordan. "Microsoft Is Laying off 10,000 Employees." CNBC, January 18, 2023.

<https://www.cNBC.com/2023/01/18/microsoft-is-laying-off-10000-employees.html>.

Case 3: Increased Threats of Deep Fakes

Deepfakes represent a subset of the general category of “synthetic content”. The term is derived from the fact that the technology involved in creating particular style of manipulated content using deep learning techniques. The content includes images and videos, as well as audio and text.

The very first deep fake case can be traced back to late 2017, Motherboard reported on a video that had appeared on the Internet in which the face of Gal Gadot had been superimposed on an existing pornographic video to make it appear that the actress was engaged in the acts depicted⁵⁵. Another case would be in 2020, Dave Gershgorn, a reporter for OneZero reported on the release of “new” music by famous artists on the OpenAI website⁵⁶. Using existing tracks from well-known artists, living and dead, programmers were able to create realistic tracks of new songs by Elvis, Frank Sinatra. Eventually, Jay-Z. Jay-Z’s company, Roc Nation LLC, sued YouTube to take the tracks down⁵⁷

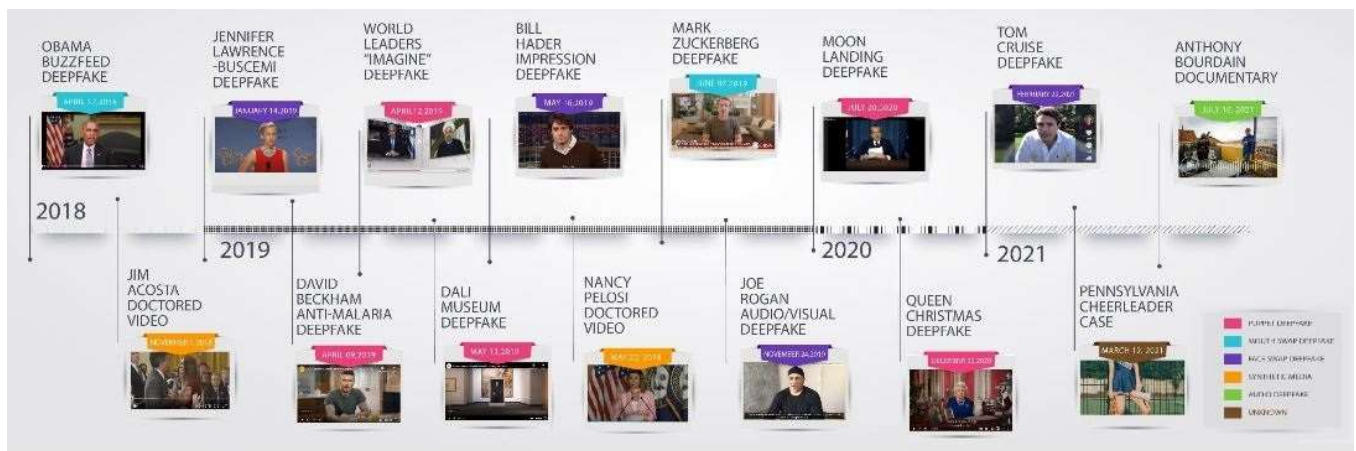


Image Source: US Homeland Security

- Health Care

Fake news about medical treatments, procedures, and public health measures can cause widespread of confusion, distrust of healthcare professionals, and, ultimately, poor health outcomes. Most importantly, fake news about public health crises, such as pandemics, undermine the efforts to control disease spread and erode public trust in vaccination campaigns and other preventative measures.

55. Cole, Samantha. "AI-Assisted Fake Porn Is Here and We're All Fucked," December 11, 2017.

<https://www.vice.com/en/article/gydydm/gal-gadot-fake-ai-porn>.

56. Gershgorn, Dave. "Deepfake Music Is So Good It Might Be Illegal - OneZero." Medium, December 14, 2021.

<https://onezero.medium.com/deepfake-music-is-so-good-it-might-be-illegal-c11f9618d1f9>.

57. Statt, Nick. "Jay Z Tries to Use Copyright Strikes to Remove Deepfaked Audio of Himself from YouTube." The Verge, April 28, 2020.

<https://www.theverge.com/2020/4/28/21240488/jay-z-deepfakes-roc-nation-youtube-removed-ai-copyright-impersonation>.

Case 1: Misinformation Fuels Hydroxychloroquine Panic Amid COVID-19

During the COVID-19 pandemic, the promotion of hydroxychloroquine as a treatment for the virus stands out as a prime example of fake news influencing consumer behavior. Despite the lack of robust scientific evidence supporting its efficacy against the virus, including warnings from health authorities such as the World Health Organization (WHO) and the U.S. Food and Drug Administration (FDA), the misinformation fueled consumer demand for hydroxychloroquine. This led to increased demand and subsequent shortages of the drug, impacting patients who relied on it for legitimate medical conditions such as lupus and rheumatoid arthritis. Additionally, individuals self-medicated themselves with the drug, obtained through unauthorized channels, resulting in adverse health effects and complications. The misinformation not only fueled public confusion but also highlighted the dangers of relying on unverified information during public health emergencies, emphasizing the necessity of evidence-based information from credible sources⁵⁸.



Image Source: The Washington Post

Case 2: COVID-19 Vaccine Misinformation Fuels Autism Myth, Hindering Pandemic Response

The false claim linking vaccines to autism remains prevalent, even in recent years, and has significant implications, especially in the context of the COVID-19 pandemic. Misinformation surrounding COVID-19 vaccines, including unfounded fears about their safety and efficacy, has been circulating widely on social media platforms, perpetuated by anti-vaccine groups and conspiracy theorists. This misinformation has contributed to vaccine hesitancy and refusal among some individuals, hindering efforts to achieve widespread vaccination coverage and control the spread of the virus. As a result, communities with lower vaccine uptake have been more susceptible to COVID-19 outbreaks, leading to increased morbidity, mortality, and strain on healthcare systems. Efforts to combat vaccine misinformation in the context of COVID-19 require targeted interventions, including transparent communication from public health authorities, community engagement, and addressing underlying concerns and misinformation through evidence-based messaging⁵⁹.

58. Belayneh, A. (2020). Off-label use of chloroquine and hydroxychloroquine for COVID-19 treatment in Africa against WHO recommendation. *Research and reports in tropical medicine*, 61-72.

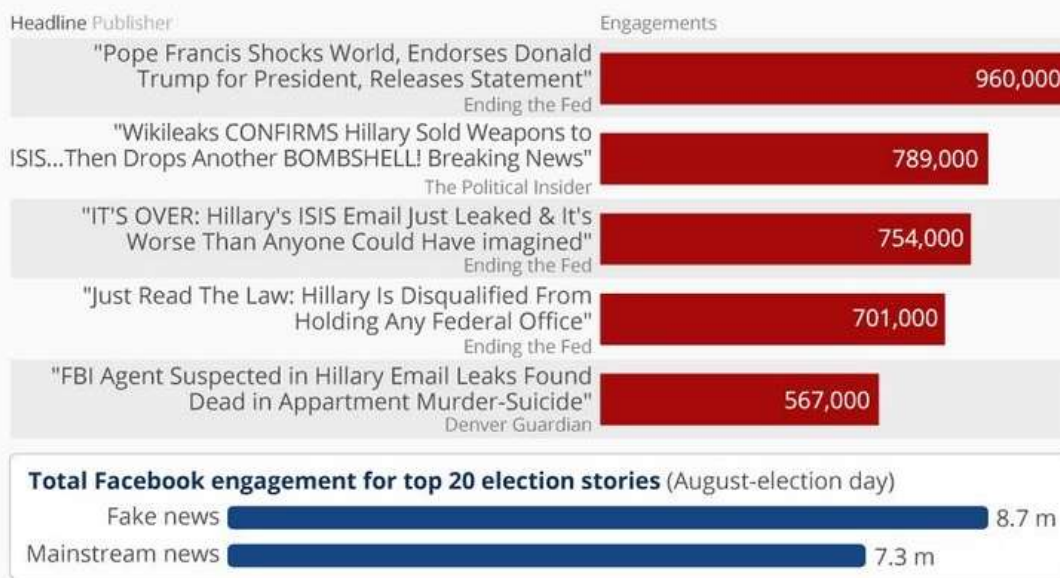
59. Geoghegan, S., O'callaghan, K. P., & Offit, P. A. (2020). Vaccine safety: myths and misinformation. *Frontiers in microbiology*, 11, 372.

Case 3: Fake News Sparks Tourist Panic in France

In 2017, France faced the detrimental effects of fake news on security concerns in popular tourist destinations following a series of terrorist attacks in previous years. False rumors began circulating on social media platforms, suggesting that popular tourist attractions in France were targeted by imminent terrorist threats. Despite efforts by French authorities to dispel misinformation and assure public safety, the spread of fake news induced widespread panic among travelers, leading to cancellations and a decline in tourist arrivals. This example exhibits the significant impact of fake news on traveler perceptions, tourism revenue, and the broader implications for security in popular tourist destinations⁶⁰.

3.2 On Political

Exhibit 9. Facebook Engagement of the Top Five Fake Election Stories



* Engagement is measured as total number of shares, reactions and comments

@StatistaCharts Source: Buzzsumo via BuzzFeed

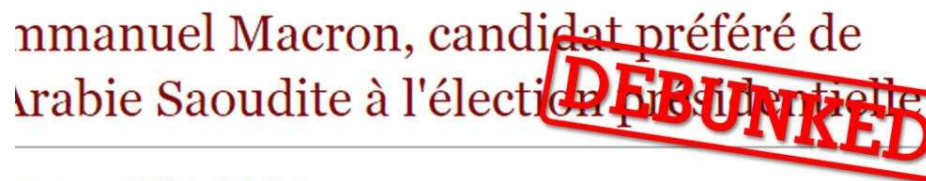


60. Baptista, J. P., & Gradim, A. (2020). Understanding fake news consumption: A review. *Social Sciences*, 9(10), 185.

The dissemination has become a parallel economy, which generated nearly \$400 million in advertising revenue during the major national elections between 2016 and 2019, including \$200 million in the United States (2016), \$34 million in Brazil (2018), and \$654,000 in France (2017)⁶¹. "2016 demonstrated the danger of foreign attack, the 2020 election demonstrated that domestic disinformation can be just as damaging—and potentially even harder to mitigate."⁶² - in terms of US elections, but the presence of domestic misinformation turned disinformation by prominent and respected institutional figures not fact-checking.

Case 1: Emmanuel Macron's campaign financed by Saudi Arabia

In 2017, a mere month before the presidential election, a fake news article circulated on twitter that accused Emmanuel Macron of having 30% of his campaign financed by Saudi Arabia⁶³. Marion Maréchal-Le Pen, an opposing MP retweeted the false article without fact-checking. The article pretended to be from the Belgian newspaper Le Soir - lesoir.be. However, when identified closely, the fake article website was listed as lesoir.info. The formatting, font and text are all identical to the real website, intended to deceive. Within minutes of Marion Maréchal-Le Pen retweeting the article on Twitter, it was shared over 200 times and had been used as material on French websites such as Fdesouche. Luckily, French fact-checkers quickly began searching for sources and further information before verifying it as false. However, this shows a good lesson in that government officials have a higher level of trust regarding the information they provide due to working for this larger, trusted institution. Therefore, they must be held to a higher level of fact-checking and verifying information prior to sharing.



1 ligne mercredi 24 février 2017, 23h11
Emmanuel Macron



Image Source: The France 24 Observers

61. "Impact of Fake News on the Economy: How to Prevent It?," n.d.

<https://www.buster.ai/post/impact-of-fake-news-on-the-economy-how-to-prevent-it>.

62. "A Lie can Travel: Election Disinformation in the United States, Brazil, and France," pg. 9

<https://cdt.org/wp-content/uploads/2021/12/2021-12-13-CDT-KAS-A-Lie-Can-Travel-Election-Disinformation-in-United-States-Brazil-France.pdf>

63. The Observers, "Debunked: Was French Candidate Macron's Campaign Financed by Saudi Arabia?," France 24, March 2, 2017,

<https://observers.france24.com/en/20170302-debunked-was-french-candidate-macron-campaign-financed-saudi-arabia>

Case 2: Pope Francis Endorsed Donald Trump's 2016 Election Campaign.

In July of 2016, three months before the highly contested and dramatic United States election, a shocking story came to light. "Pope Francis Shocks World, Endorses Donald Trump for President, Releases Statement"⁶⁴. Created by *WTOE 5 News*, this story was a clear fabrication when Pope Francis was asked about the issue at a press conference in October, 2016, "I never say a word about electoral campaigns...the people are sovereign"⁶⁵. *WTOE 5 News*, a self-proclaimed 'fantasy news' website⁶⁶, was only two weeks old when the story broke⁶⁷. While this link only got a mere 100,000 engagements on Facebook, the article with the exact same headline from *Ending the Fed* had just under one million engagements in the 3 months leading up the election⁶⁸. Similarly, this website had only been registered in March of the same year⁶⁹. According to a BuzzFeed News Analysis, the top four 'fake news' stories from *Ending the Fed* received 2,953,000 Facebook engagements whereas the top four 'real news' stories from the Washington Post only received 2,774,000 Facebook engagements⁷⁰. Clearly the false article was used to target Catholic believers to support Trump in the 2016 election. However, the number of shares and engagements is certainly alarming, especially when the Vatican has a clear policy on non-interference with state elections, including endorsing candidates. It must be asked whether further bots were used to enhance the sharing of the 'fake news' articles as a way of tricking Facebook's former algorithm to ensure the story began trending, thus how many of the 2,953,000 engagements were from real users?

TOPICS: Pope Francis Endorses Donald Trump



Image Source: Business Insider

64. WTOE 5 News, "Pope Francis Shocks World, Endorses Donald Trump for President, Releases Statement," Web Archive <https://web.archive.org/web/20161115024211/http://wtoe5news.com/us-election/pope-francis-shocks-world-endorses-donald-trump-for-president-releases-statement/>

65. Sydney Schaedel, "Did the Pope Endorse Trump?," FactCheck, October 24, 2016, <https://www.factcheck.org/2016/10/did-the-pope-endorse-trump/>

66. Sydney Schaedel, "Did the Pope..."

67. Craig Silverman and Jeremy Singer-Vine, "The True Story behind the Biggest Fake News Hit of the Election, BuzzFeed News, December 16, 2016, <https://www.buzzfeednews.com/article/craigsilverman/the-strangest-fake-news-empire>

68. Craig Silverman, "This Analysis Shows How Viral Fake Election News Stories Outperformed Real News on Facebook," BuzzFeed News, November 16, 2016, <https://www.buzzfeednews.com/article/craigsilverman/viral-fake-election-news-outperformed-real-news-on-facebook>

69. Craig Silverman, "This Analysis Shows..."

70. Craig Silverman, "This Analysis Shows..."

Case 3: Trudeau Was Not the Elected PM Due to Margin of Lost/Missing Ballots.

After the 2021 Canadian elections, a post began circulating on Facebook stipulating that "According to ELECTIONS CANADA, the number of lost/missing ballots was greater than the margin of @JustinTrudeau election win in 2021,"⁷¹. The post insinuated that Trudeau was not the real winner due to miscalculations from Elections Canada. While it is true that there were nearly 205,000 mail-in ballots that either arrived late and ineligible or were cancelled by the registered voter⁷², it is not true that there was any election fraud or ballot displacement as the misleading post suggests. It began generating much more momentum during the Freedom Convoy protests in Ottawa. These were shown to be similar campaigns as with the aftermath of the 2020 US election⁷³. According to a McGill University study, while misinformation was prevalent in the 2021 election, it did not sway the results⁷⁴.



Image Source: AFT Fact Check

71. AFP Canada, "Posts mislead on 2021 Canadian elections, 'missing ballots'," AFP Fact Check, October 12, 2022,

<https://factcheck.afp.com/doc.afp.com.32L79TM>

72. AFP Canada, "Posts mislead on 2021..."

73. Aengus Bridgman et al., (2022). Mis- and disinformation during the 2021 Canadian federal election. 10.13140/RG.2.2.15094.68166.

74. Mis- and disinformation during the 2021 Canadian federal election, 4.

3.3 On National Security, Intelligence, and Terrorism

Fake news continues to pose a threat, including potential large impacts to nations, such as social media disinformation campaigns operated at scale by well-funded nation-state actors. It is expected that an emerging threat landscape wherein the attacks will become easier and more rapid.

Case 1: Russian Disinformation Campaigns.

In recent times, Russian campaigns were reportedly carried out operations – using technological platforms – as part of broader influence in areas ranging from the Baltics to Central Europe to France to the United States. The magnitude of the Russian campaign to divide the American society was scrutinized in October 2017 during a hearing where tech companies (Facebook, Twitter and Google) were questioned by the Senate Intelligence Committee⁷⁵.

Exhibit 10. Russia's Social Media Influence Operations

Objective	Platforms	Purpose & Advantages
Placement	Primary: 4Chan, Reddit	<ul style="list-style-type: none"> • Insert forgeries into social media discussions • Seed conspiracies into target audiences • Spread kompromat on targeted adversaries, both true & false information • Hides Kremlin attribution, provides plausible deniability
	Secondary: 8Chan, YouTube, Facebook	
Propagation	Twitter	<ul style="list-style-type: none"> • Spread narratives through overt Kremlin accounts & covert troll farm personas • Amplify select target audience stories & preferable narratives supporting Kremlin goals (<i>Computational propaganda make falsehoods appear more believable through repetition & volume</i>) • Inject stories into mainstream media worldwide • Attack political opponents, foreign policy experts & adversarial media personalities
Saturation	Primary: Facebook	<ul style="list-style-type: none"> • Amplify political & social divisions, erode faith in democracy through discussions & ads • Pull content from other platforms into trusted friends & family discussions • Recruit target audience for organic propaganda creation/distribution or physical provocations (protests, rallies or even violence)
	Secondary: Google, LinkedIn, Instagram, Pinterest	
Hosting	YouTube	<ul style="list-style-type: none"> • Overt propaganda posts obscuring Kremlin hand (RT) • Sharing of video content to target audience via producers & reporters rather than standard television channels

Source: C.Watts (Foreign Policy Research Institute, Alliance For Securing Democracy, Center For Cyber & Homeland Security)

75. Lapowsky, Issie. "Eight Revealing Moments from the Second Day of Russia Hearings." *WIRED*, November 1, 2017.

Case 2: Shaping national opinion, affecting the resilience of a polity.

Falsehood may be found in the lead up to the Brexit referendum in the United Kingdom. The “Leave” campaign resorted to tactics ranging from warnings about a country overrun by refugees and asylum seekers, to exaggerated claims that a sum of £350 million a week was being sent to Brussels by the UK government –money according to the claim would be saved if the Leave vote won. This form of falsehood has been seen in the growth of disinformation sources linked to groups from the alternative right (alt-right), with a denominator being anti-globalism and a strong distrust of the western, democratic sociopolitical model and neo-liberalism⁷⁶.

Case 3: Achieving widespread currency in the wake of a disaster or terror attack.

The immediate aftermath of the 13 April 2013 Boston Marathon bombing saw an outbreak of viral vigilantism. Individuals (many of them well-meaning), based on available images, attempted to crowdsource information and establish an identity on online bulletin boards. These individuals, abetted by journalists chasing what seemed like a plausible story, falsely identified a student who had been missing from Brown University for a month. This student was later found dead in a completely unrelated suicide, but the viral online vigilantism (entirely without repercussions to those who had made the accusations, or to the platform that had hosted many of the accusations, Reddit) placed immense strain on the grieving family⁷⁷.

Case 4: Entertainment in Disguise

A recent example from the United States is the so-called alt-right advancing its position using humorous and ironical facades. For this far-right movement, “irony has a strategic function. It allows people to disclaim a real commitment to far-right ideas while still espousing them ... it also allows individuals to push boundaries in public, and to back away when they meet resistance.” A compounding difficulty for opponents of the “alt right” is that it is not always simple to differentiate between sincerity and satirical online⁷⁸.

76. Smith, Mikey. “How Facebook, Fake News and Personalised Ads Could Swing the 2017 Election - And What You Can Do About It.” *The Mirror*, May 8, 2017.

77. Henn, Steve and Audie Cornish. “Social Media Vigilantes Cloud Boston Bombing Investigation.” *NPR*, April 22, 2013

78. Wilson, Jason. “Hiding in plain sight: how the ‘alt-right’ is weaponising irony to spread fascism.” *The Guardian*, May 23, 2017

Section 4. Legal Factors to Address Fake News

4.1 Defamation Laws

In Canada, "A defamatory statement is one which has a tendency to injure the reputation of the person to whom it refers, which tends, that is to say, to lower him in the estimation of right-thinking members of society generally and in particular to cause him or her to be regarded with feelings of hatred, contempt, ridicule, fear, dislike or disesteem. The statement is judged by the standard of the ordinary, right-thinking members of society. Hence the test is an objective one."⁷⁹ While prosecution and defense of defamation varies significantly across jurisdictions in Canada, ss. 297-317 of the Federal *Criminal Code* relate to trying defamatory libel. The most adequate defense of defamation is that the statement was in fact true, however in Quebec that is not often enough, nor in court does all evidence of truth remain permissible. On the issue of fake news, defamation law can be helpful in publicly denouncing the false accusations lobbied against an individual. Although, it must be weighed against the impact of bringing more attention to the initial false accusations.

*Defamation in Canada vs. United States*⁸⁰

Canada is characterized as having the most plaintiff-friendly defamation laws in the English-speaking world. Whereas the United States is characterized as having the most defendant-friendly defamation laws in the English-speaking world. This means that in Canada, the burden of proof falls onto the defendant (they are seen as guilty until proven innocent). In the U.S., it falls onto the plaintiff to prove the defendant's statements were 1) false and 2) caused material harm. Quebec's defamation laws are much more similar to the U.S. versus the rest of Canada. In both countries, free speech is generally considered an adequate defense, although there must be an element of 'fair comment'. In Canada, fair comment is proved by 1) a comment, not a statement of fact, 2) made on accurate facts, 3) on a matter of public interest, 4) fairly made, and 5) made without malice. In anglophone Canada, malice is not required for a statement to be considered defamation, however it is in Quebec and the U.S. Moreover, a defamation suit cannot be filed as a group, it must be a statement made by an individual, against an individual that the average person could identify through the statement.

In the United States, a profound example of defamation law being used against fake news is that in *US Dominion Inc. v Fox News Network Inc.* While ultimately, they settled prior to trial (Fox News Network paid 787.5 million to Dominion Voting Systems⁸¹), a summary judgment was made in the Delaware Superior

79. Grochowski v. Young, 2019 ONSC 326 at para 18

80. "Chart: Differences Between United States and Canadian Defamation Law," Kelly Warner Law, <https://kellywarnerlaw.com/chart-differences-between-united-states-and-canadian-defamation-law/>

81. Ankush Khardori, "Why Fox News had to Settle the Dominion Suit," Politico, April 18, 2023, <https://www.politico.com/news/2023/04/18/why-fox-news-had-to-settle-the-dominion-suit-00092708>

Court that found Fox's argument of opinion to be invalid. Fox News reported in 2020 after the election results that Dominion Voting Systems were guilty of electoral fraud and thus were the reason Donald Trump was not elected president. Fox claimed that these statements were merely opinions, however the judge condemned this notion and that even if they were merely opinions, an opinion claiming a criminal violation does not substantiate a first amendment right. Moreover, the issue is that the 'opinions' they stated could be proved as factually inaccurate, asserting them as factual claims⁸².

4.2 Intellectual Property Rights (IPR)

Fake news frequently includes unauthorized content, such as plagiarism or the misuse of digital contents (images, videos, etc.) and trademarks to give false information. Within this framework, intellectual property rights (IPR) will be examined through two lenses: trademark laws and copyright laws.

Trademark Law

A trademark is defined as any word, symbol, or combination that sets apart one's products from others, serving as a distinct identifier^{83,84}. Economic theory suggests that trademarks streamline transactions by reducing the need for consumers to possess detailed knowledge prior to buying⁸⁵. Additionally, trademarks safeguard the reputation of the trademark holder and prevent consumer confusion, thereby promoting fair competition⁸⁶.

Fake news presents a multifaceted challenge that contradicts the principles mentioned above. Firstly, it exacerbates confusion among consumers, complicating their purchasing decisions unnecessarily. Secondly, it fosters widespread distrust across all news sources, both genuine and fake, a phenomenon known as trademark dilution⁸⁷. This is especially problematic when fake news deliberately mimics legitimate news outlets, such as in the case of "WashingtonPost.com.co". Thirdly, the credibility associated with social media platforms can inadvertently lend legitimacy to fake news sources. Fourthly, when fake news appropriates the names of legitimate news organizations, it may violate unfair competition laws, similar to the case of producing and selling counterfeit iPhones, Nike shoes, luxury brand purses.

82. *US Dominion, Inc. v. Fox News Network, Inc.*, 293 A.3d 1002, 2023 Del. Super. LEXIS 161, 2023 WL 3045698 (Del. Super. Ct. March 31, 2023) at V. 3. *Statements of Fact or Mixed Opinion, Like Those Presently at Issue, Are Not Protected by the Privilege for Opinion*

83. "Consolidated Federal Laws of Canada, Trademarks Act," June 28, 2021.

<https://laws-lois.justice.gc.ca/eng/acts/t-13/>

84. 15 U.S.C. § 1127

85. Port, *supra* note 3 at 889.

86. *Id.* at 897.

87. *Infra* Part IV.B.

Copyright Law

The remaining question is whether fake news is eligible for copyright protection and satisfy the relevant requirements.

News or factual information cannot be copyrighted, a principle upheld by international copyright law, as the Berne Convention explicitly excludes protection for "news of the day" and factual items considered mere press information⁸⁸. It's important to prevent the monopolization of basic facts and the granting of exclusive rights to a single entity. However, journal articles are protectable as liberal work. Copyright does not protect the substance of news, but the way of expression⁸⁹.

The important aspect lies in the fact that fake news, creatively crafted, might meet the requirement of originality. This point holds true whether one apply the originality standards established by Canadian copyright law: "*Canadian law protects all original literary, dramatic, musical and artistic works*"⁹⁰, US copyright law, as seen in the *Feist v. Rural* case⁹¹, the 'intellectual creation' test of the EU as seen in *Infopaq*⁹², or other criteria such as the UK's 'skill, labour and judgment' standard⁹³. Fake news essentially constitutes a fictitious narrative, devoid of factual basis, thus one must admit it demonstrates creative and original character, even though it's not explicitly presented as such to audiences.

In terms of digital media, one may argue that the digital intervention has transformed the photo (or video) itself, turning it into a derivative work. On the other hand, the defendant might argue the media as a minor alteration which does not substantially alter the original image, and that therefore the fake media is not an original work which deserves copyright. Predicting how the content dispute would be solved is difficult. Hence, the final decision often depends on several factors such as the subjective assessment carried out by individual judges in different countries. Under EU law for example it would depend on whether the judge believes that the digital modification in question constitutes an 'intellectual creation' under *Infopaq*, while in the UK the court would likely need to be convinced that the alteration entails enough 'skill, labor and judgement'. In the US the focus lies in whether the alteration of the photograph has entailed a modicum of creativity.

In summary, while modified pictures sometimes might not reach the originality threshold, particularly where the upstream work which is appropriated is not sufficiently altered, journal articles which incorporate fake news are often created from scratch and therefore may be highly original. As far as fake news is concerned as a whole, there may arise infringement issues in some circumstances.

88. Article 2(8) of the Berne Convention for the Protection of Literary and Artistic Works

89. Slauter, above fn. 39, at 176

90. Office, Canadian Intellectual Property. "A Guide to Copyright," February 21, 2024.

<https://ised-isde.canada.ca/site/canadian-intellectual-property-office/en/guide-copyright>.

91. *Feist Publications, Inc. v. Rural Telephone Service Co., Inc.*, 499 U.S. 340, 111 S. Ct. 1282 (1991)

92. Case C-5/08, *Infopaq Int'l A/S v. Danske Dagblades Forening*, 2009 E.C.R I-6569.

93. *Ladbroke v. William Hill* [1964] 1 All E.R. 465, 469 (Eng.).

However, IPR owners do have exclusive control over the protected scope of rights, the essence asserts that “the right to exclude” is the core attribute of property. Therefore, what IP right secures is only “a negative right” to exclude others from utilizing the good without a license, but not to adjust the contents of information. That being said, IPR laws will be more effective for addressing the source of misinformation, but not the spread.

4.3 Media Ownership

Media Ownership rules affect how fake news is controlled. When these rules are not enforced strictly, there are arising concerns about how too few companies own most of the media; highlighting how new could be biased. Without any competition, false information can easily be spread through these media outlets. Rules help ensure that media is fair and diverse, which is crucial to reduce the spread of fake news.

An important case worth noting is that Fox's lawyers successfully defended Tucker Carlson against a slander accusation by asserting that his show does not constitute “news”⁹⁴. However, it's noteworthy that Fox News hasn't officially stated that this classification applies to all of its content. The distinction can become obscured as various individuals on the network disseminate falsehoods yet refrain from repeating these assertions as factual claims in legal proceedings.

It is crucial to have regulatory authorities to enforce media ownership rules. This enables a fair media landscape that incorporates diverse perspectives. The Canadian Radio-television and Telecommunications Commission (CRTC) is a significant regulatory body that oversees compliance with media ownership regulations to prevent monopolistic practices. The effectiveness of regulatory authorities such as the CRTC depends on its ability to collaborate effectively with stakeholders, uphold integrity of the media industry and ensure they adapt to evolving market dynamics.

It is difficult to balance freedom of expression with the need for media regulation. A prime example we can analyze is Bill C-10 in Canada. Bill C-10 aims to regulate programming distributed by media streaming services and social media platforms. Many argue that this bill could infringe on freedom of speech rights. Policy makers in Canada must identify how to safeguard the interests of those promoting Canadian content and the fundamental rights of freedom of expression of individuals.

It is crucial to protect consumers from fake news, as we discussed earlier how there are many implications that result from the spread of misinformation online. It is essential to compare strategies implemented in various countries to understand how best to protect consumers against misinformation. An example is the

94. Folkenflik, David. “You Literally Can't Believe The Facts Tucker Carlson Tells You. So Say Fox's Lawyers.” NPR, September 29, 2020. <https://www.npr.org/2020/09/29/917747123/you-literally-cant-believe-the-facts-tucker-carlson-tells-you-so-say-fox-s-lawyer>.

European Union's General Data Protection Regulation (GDPR) which enforces transparency in data processing, so consumers are aware of how their personal data is being used.

Overall, it is crucial to keep the consumers in mind when implementing legislation, new policies, or best business practices so consumers are protected against fake news.

4.4 Election Laws

In 2021, The Canadian Constitution Foundation (CCF) won a Superior Court decision where they challenged the constitutionality of s. 91(1) of the *Canada Elections Act*⁹⁵. The section made it a criminal offence to publish false information regarding political candidates or public figures associated with political campaigns with the intention of affecting the results of an election. The reason the CCF won the decision was that their analysis proved s. 91(1) does not distinguish between misinformation and disinformation. That being, whether the individual knowingly promoted false information. In the 2018 amendment of the section, the word 'knowingly' was deleted⁹⁶. While the Attorney General argued it was simply 'housekeeping', with the aim of removing redundancies, the CCF argued that it gave broad overreach in contrast with s. 2(b) of the *Charter*⁹⁷. Moreover, with \$50,000 fines and up to 5 years in jail on the line, the Act did not define 'false information'.

"There has been a legislative prohibition, in one form or another, against making certain false statements about a candidate in federal elections since 1908: *Dominion Elections Act*, S.C. 1908, c. 26. From 1908 until 1970, it was an offence for any person to make or publish any false statement of fact before or during an election about the personal character or conduct of a candidate for the purpose of affecting the return of a candidate. From 1970 until 2000, it was an offence for anyone to knowingly make or publish a false statement of fact about the personal character or conduct of a candidate before or during an election"⁹⁸.

The purpose of providing this quote is to understand that disinformation is not a new problem in elections. In fact, far beyond 1908 are their records of this, however in Canada there is an extremely fine line between broad censorship and campaigns for 'real news'. Accordingly, there is also an extremely narrow scope of allowable censorship in contrast to s. 2(b) of the *Charter*. Removing the word 'knowingly' from s 91(1), did not stand the court's scrutiny, thus a broad 'fake news' bill is highly unlikely to pass.

95. Canadian Constitution Foundation v. Canada (Attorney General), 2021 ONSC 1224

96. The CCF, "Victory for Canadian Constitution Foundation: court strikes down election censorship law," February 19, 2021, <https://theccf.ca/victory-for-canadian-constitution-foundation-court-strikes-down-election-censorship-law/>

97. Canadian Constitution Foundation v. Canada (Attorney General), 2021 ONSC 1224 s. 4.

98. Canadian Constitution Foundation v. Canada (Attorney General), 2021 ONSC 1224 s. 12.

4.5 Cybersecurity Laws

The Canadian cyber security laws focus on protection of critical infrastructure and combating cyber threats. The Security of Canada Information Sharing Act (SCISA) primarily focuses on information and intelligence sharing among government institutions to address activities that undermine national security. SCISA defines threats to the security of Canada broadly to include activities that undermine the sovereignty, security, or territorial integrity of Canada. While this typically encompasses threats such as terrorism, espionage, and foreign interference, it may also be interpreted to include activities that propagate fake news. Particularly those efforts to disrupt elections, manipulate public opinion, and interfere with the functioning of democracy.

On the other hand, Digital Citizen Contribution Program promotes media literacy and offer assistance for research and citizen-focused activities to combat fake news. While there is no specific legislation directly targeting fake news in Canada, existing laws such as the Criminal Code (through defamation, fraud, deception, Broadcasting Standards and Regulations, Hate Speech, and Incitement to Violence) and the Broadcasting Act (through Requirement for Balance and Fairness, Public Complaints Mechanism, and enforcement of standards by Radio-television and Telecommunications Commission (CRTC)) may be applied to combat misinformation.

Similar to Canada, the US has the Cybersecurity Information Sharing Act (CISA), which encourages the voluntary sharing of cyber threat indicators and defensive measures to facilitate a more coordinated response to cyber threats. However, in US, combating fake news primarily falls under the domain of media regulation and First Amendment protections. There are still ongoing debates regarding the regulation of social media platforms and fake news, legislative efforts have been limited primarily due to concerns over free speech rights (One exception is listed in Table I. Section 589, National Defense Act).

The cybersecurity legislation of EU includes the General Data Protection Regulation (GDPR) and the Network and Information Security Directive (NIS Directive). These laws can enhance cybersecurity standards and protect personal data across member states by addressing certain aspects of fake news (1) transparency and accountability in data processing and data accuracy (information authentication) (2) prevention of online platforms from manipulation and unauthorized access. Other initiatives include the Code of Practice on Disinformation. Also, the Digital Services Act (DSA) and Digital Markets Act (DMA) have proposed regulations to hold online platforms accountable for hosting and disseminating fake news. After all, the EU has taken the most proactive approach to combat fake news.

While Canada, US, and EU share common grounds in addressing cybersecurity threats and combating fake news, their legal approaches differ as described above. Canada leans more towards collaboration and media literacy, the US emphasizes free speech protections, and the EU adopts hard and specific regulatory measures to hold online platforms accountable.

Section 5. Policy Actions at Various Government Levels

5.1 Federal Government Level

- Enactment of Laws Against Disinformation Campaigns

In Germany, the Network Enforcement Act (colloquially known as NetzDG) does not necessarily impose new laws on disinformation but focuses on strengthening the 22 existing laws in their Criminal Code⁹⁹. It targets social media platforms with more than 2 million users to enforce complaints of 'illegal information' within a short time (24 hours-7 days depending on type of content) or face fines up to €50 million¹⁰⁰. However, critics contest that it has privatized enforcement and due to the serious implications for social media companies, has led to an over-removal of content. Meaning that satirical content¹⁰¹, political commentary, artistic critiques and more have been included in this effort to combat disinformation¹⁰².

In Ethiopia, The Hate Speech and Disinformation Prevention and Suppression Proclamation came into effect in early 2020¹⁰³, two years after Germany's NetzDG. Here, it introduces criminal penalizations for the dissemination of disinformation, with specific fines or jail time for those who have more than 5,000 followers on social media or run a broadcast service or print media company¹⁰⁴. However, in this code, it specifically lays out exceptions for "a) An academic study of scientific inquiry, b) A news report, analysis or political critique, c) Artistic creativity, performance or other form of expression, or d) Religious teaching¹⁰⁵". While it has still been the subject of heavy criticism for a potential limitation to freedom of speech¹⁰⁶, it gives more leeway than the German legislation for social critiques from important cultural institutions.

- Funding for Research on Fake News Detection Technologies

Switzerland helped fund Vera.ai¹⁰⁷. An Artificial Intelligence tool to combat disinformation in a variety of forms of content (such as images, text, audio, etc.) in accessible means. Focused on creating a (mostly) open sourced and accessible platform, combatting disinformation in a variety of languages. The project has a 3-year timeline with completion set for 2025.

99. Heidi Tworek and Paddy Leerssen, An Analysis of Germany's NetzDG Law, Transatlantic Working Group, April 15, 2019, 2.

100. An Analysis of Germany's NetzDG Law, 2.

101. An Analysis of Germany's NetzDG Law, 3.

102. An Analysis of Germany's NetzDG Law, 4.

103. The Hate Speech and Disinformation Prevention and Suppression Proclamation, Federal Democratic Republic of Ethiopia, March 23, 2020,

<https://www.accessnow.org/wp-content/uploads/2020/05/Hate-Speech-and-Disinformation-Prevention-and-Suppression-Proclamation.pdf>

104. The Hate Speech and Disinformation Prevention and Suppression Proclamation, s. 7.

105. The Hate Speech and Disinformation Prevention and Suppression Proclamation, s. 6.

106. "Ethiopia: Hate speech and disinformation law must not be used to suppress the criticism of the government," Article 19, January 19, 2021,

107. "Project Summary: Facts and Figures," Vera.ai, <https://www.veraai.eu/project-summary>

On the other hand, the United States under the Biden administration has recently finalized a sweeping research effort on risk-mitigation efforts from AI¹⁰⁸. While it is not clear if the government has specifically invested in AI to detect disinformation, it is written in their recent “Fact Sheet: Biden-Harris Administration Announces Key AI Actions Following President Biden's Landmark Executive”, a range of other areas of investment for AI. Including mass education programs, a focused effort to drive careers into AI innovation, and more.

- Collaboration with Tech Companies to Develop Standards for Authenticity Verification

Japan has maintained their focus on leading the G7 to invest in innovative tech to combat disinformation online. Through creating the Hiroshima AI Process, they have collaborated with tech companies to create Originator Profiles¹⁰⁹. This helps to discourage and identify deepfakes by embedding digital markers into distributed data to verify authenticity. As of July 2023, 27 corporations in Japan have agreed to utilize this tool, as well as all major newspaper organizations within the country¹¹⁰.

By contrast, Canada has vowed support for Japan's framework¹¹¹, but has not yet released public information regarding its own framework or strategy moving forward. In regards specifically to collaborating with technology companies to develop standards for authenticity verification. However, it has published a list of both Canadian and global companies to supply the government with ethical AI tools, for a general purpose¹¹².

5.2 Provincial/State Government Level

- Mandating Transparency in Political Advertising

In Canada, provincial governments like Ontario have implemented strict regulations requiring political advertisements to disclose funding sources and sponsors transparently¹¹³. This ensures that voters are aware of the vested interests behind campaign messages. In contrast, the United States has a decentralized approach, with states like California leading in mandating transparency in political advertising¹¹⁴. However, the effectiveness varies across states due to inconsistent regulations and legal challenges.

108. “Fact Sheet: Biden-Harris Administration Announces Key AI Actions Following President Biden's Landmark Executive Order,” The White House, January 29, 2024

109. “Japanese Prime Minister pushes for OP technology to combat disinformation,” Dig Watch, October 4, 2023

110. Takaaki Suzuki and Takahiro Suzuk, “‘Originator Profile’ Tech Gains Support Among Japanese News Media,” The Japan News, July 1, 2023

111. “G7 Leaders' Statement on the Hiroshima AI Process,” Global Affairs Canada, October 30, 2023

112. “List of interested Artificial Intelligence (AI) suppliers,” Treasury Board of Canada Secretariat, last updated February 12, 2024

113. Dujay, John. “Ontario Introduces Pay Transparency Law.” Canadian HR Reporter, November 6, 2023.

<https://www.hrreporter.com/focus-areas/employment-law/ontario-introduces-pay-transparency-law/381144>.

114. “Campaign Rules,” n.d.

<https://www.fppc.ca.gov/learn/campaign-rules.html>.

Indian state (Karnataka) has taken steps to mandate transparency in political advertising by requiring parties to disclose expenditure on digital campaigns. The enforcement still remains a challenge due to political influence and loopholes in the law: **Ambiguous definitions induced conceal or misrepresentation of actual expenditure.** Similarly, Australian province Victoria has introduced regulations requiring real-time disclosure of political donations and advertising spending. Overall efforts were to enhance accountability and transparency in the electoral process¹¹⁵¹¹⁶.

- Implementing Civic Education Programs to Foster Critical Thinking Skills

Germany's provincial governments have integrated civic education programs into school curricula, focusing on critical thinking, media literacy, and active citizenship. For example, the state of Baden-Württemberg emphasizes hands-on learning and participation. Students are taught critical thinking skills, information verification techniques, and how to discern credible sources from misinformation. Additionally, Württemberg has established initiatives to promote media literacy and combat fake news among the broader population, which includes public awareness campaigns, workshops, and seminars aimed at educating citizens. In Japan, Tokyo has implemented civic education initiatives, but the focus tends to be more on rote learning rather than critical thinking. Swedish province Stockholm has invested in innovative civic education programs that emphasize digital literacy, critical analysis of media, and participation in democratic process. In California, fake news campaign curriculum has already been integrated into existing school curricula across various subjects, such as social studies, English language arts, and digital literacy classes.

- Providing Grants to Local Media Outlets for Fact-Checking Initiatives

Again, Victoria (Australia) has established grant programs to support independent fact-checking initiatives by local media outlets. The grants are awarded through a competitive application process, with eligible organizations able to apply for funding to support their fact-checking efforts. Some of the criteria include demonstrating a commitment to journalistic integrity, independence, and accuracy in reporting and outline of proposed fact-checking projects. Similarly, the United Kingdom's provincial governments, such as Scotland, have allocated funding to bolster fact-checking efforts in local media. However, challenges remain in ensuring the sustainability and impartiality of these initiatives. Despite efforts to promote media integrity, additional issues such as censorship and financial pressure undermine the effectiveness of fact-checking initiatives. It is worth mentioning that Quebec has a grant program (research program) that supports fact-checking as well.

115. vic.gov.au. "Key Matters for Consideration," October 27, 2023.
<https://www.vic.gov.au/electoral-review-expert-panel-discussion-paper/key-matters-consideration>.

116. Victorian Electoral Commission. "Disclosure of Political Activities," July 23, 2023.
<https://www.vec.vic.gov.au/work-with-us/disclosure-of-political-activities>.

5.3 Local Government

- Collaborative Efforts and Regulatory Measures in Combating Fake News

Canada uses a collaborative approach involving government agencies and media groups to address fake news through initiatives such as the Canadian Anti-Fraud Centre¹¹⁷. They also use fact-checking programs that are run by organizations such as The Canadian Press and CBC News¹¹⁸. Further, the United Kingdom utilizes initiatives such as BBC's Reality Check and independent fact-checking organizations such as Full Fact to debunk fake news¹¹⁹. BBC's Reality Check team focuses on content that is designed to mislead the public into believing it was published by a credible news organization¹²⁰. Thus, as Canada uses a collaborative approach involving governmental and media entities to combat fake news, the United Kingdom uses both media-driven and regulatory measures. Both countries are committed to safeguarding the integrity of information in the digital age.

- Media Literacy Education in Schools & Libraries to Combat & Identify Fake News

Collaboration with educational institutions to enhance media literacy is becoming common. Finland integrates media literacy education into national curricula. In Finland, combatting fake news is being taught in primary school as children are being taught critical thinking and information literacy skills¹²¹. Finland's education system is focused on producing responsible citizens who can discern and combat false information effectively. In the United States, libraries play a crucial role in educating students on how to combat fake news. In 18 states in the United States, there has been an implementation of some form of K-12 media literacy education, with four states mandating it¹²². The integration of media literacy education into school curricula and library programs is a crucial step in combatting and identifying fake news.

117. "Canadian Anti-Fraud Centre," March 11, 2024.

<https://antifraudcentre-centreantifraude.ca/index-eng.htm>.

118. CBC. "Fact Check," May 26, 2020.

<https://www.cbc.ca/news/covid-19/fact-check>.

119. Full Fact. "Full Fact - Full Fact Is the UK's Independent Fact Checking Organisation," n.d.

<https://fullfact.org/>.

120. Jackson, Jasper. "BBC Sets up Team to Debunk Fake News." the Guardian, July 1, 2020.

<https://www.theguardian.com/media/2017/jan/12/bbc-sets-up-team-to-debunk-fake-news>.

121. Henley, Jon. "How Finland Starts Its Fight against Fake News in Primary Schools." the Guardian, February 5, 2020.

<https://www.theguardian.com/world/2020/jan/28/fact-from-fiction-finlands-new-lessons-in-combating-fake-news>.

122. "Media Literacy Is More than Spotting Fake News. How One Librarian Gives Teens the Tools to Decide What to Trust." CNN, January 22, 2024.

<https://www.cnn.com/2024/01/21/us/teaching-media-literacy-in-schools/index.html>.

- Allocating Resources for Neighborhood Watchdog Groups to Monitor Misinformation Spread

In Germany, the government allocates resources to support citizen-led initiatives for fact-checking through programs like “Correctiv” which is funded by donations from citizens, and grants¹²³. It engages volunteers to fact-check news articles and claims circulating online, emphasizing community involvement. They aim to empower citizens to actively participate in combatting misinformation and promoting media literacy.

In Brazil, community engagement grants are used to encourage collaboration between local activists and journalists in combating misinformation. Organizations such as “Aos Fatos” receives funding to train community members to debunk false information¹²⁴. These grants promote accurate information dissemination within communities as they publish the verifications in journals, magazines, social media, and other sources.

123. correctiv.org. “Finances,” January 9, 2023.

<https://correctiv.org/en/finances/>.

124. Online Journalism Awards. “Aos Fatos - Online Journalism Awards,” August 13, 2019.

<https://awards.journalists.org/entries/aos-fatos/>.

Section 6. Barriers to Address Fake News

6.1 Fundamental Rights

Until recently, Canada had a federal law criminalizing 'fake news'. Section 181 of the *Criminal Code* held a maximum two year imprisonment for "Everyone who willfully publishes a statement, tale or news that he knows is false and that causes or is likely to cause injury or mischief to a public interest"¹²⁵. This was officially repealed in 2019 after the Supreme Court in *R v Zundel* (1992) declared the law unconstitutional with s. 2(b) of the *Canadian Charter of Rights and Freedoms*. Section 2(b) states the right to "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication"¹²⁶. Moreover, the Supreme Court held that it is unjustifiable under s. 1 of the *Charter*,

"while s. 181 may be capable of serving legitimate purposes, Parliament has identified no social problem, much less one of pressing concern, justifying it. The provision originally focused on the prevention of deliberate slanderous statements against the nobles of the realm to preserve political harmony in the state. To suggest now that its objective is to combat hate propaganda or racism is to go beyond its history and its wording and to adopt the "shifting purpose" analysis this Court has rejected... Furthermore, if the simple identification of the (content-free) goal of protecting the public from harm could constitute a "pressing and substantial" objective, virtually any law would meet the first part of the onus imposed upon the Crown under s. 1. Justification under s. 1 requires more than the general goal of protection from harm common to all criminal legislation; it requires a specific purpose so pressing and substantial as to be capable of overriding the *Charter's* guarantees."¹²⁷

However, this is not to say there are no other *Criminal Code* laws which focus on the issue of disinformation. Specifically, ss. 318 and 319 focuses on the offence of disseminating hateful disinformation.

As shown through s. 181 of the *Criminal Code*, there must be a reasonable justification to override fundamental rights and freedoms protected by the *Charter*. Moreover, there must be reasonable justification to override fundamental rights guaranteed by the Universal Declaration of Human Rights which Canada has been a party to since 1948. Canada has been extremely vocal in ensuring the implementation and respect of the UDHR globally, even so much as making it a focal point of Canada's foreign policy. Thus, any domestic legislation that seemingly prohibits Article 19 of the UDHR must have overwhelmingly viable justification. Encapsulating both the fundamental right to free speech and the adjacent right to freedom of information.

Additionally, Canada in the 21st Century has been established through an extremely diverse pool of individual beliefs, cultural makeups, and social ideals. Each group contributed to the very foundations of

125. *Criminal Code* s. 181, 2003-2019 version

126. *Charter*, s. 2(b)

127. *R. v. Zundel*, 1992 CanLII 75 (SCC), [1992] 2 SCR 731,

how Canada ought to be through the fundamental right of freedom of expression. There is legitimate concern that any legislation with the intent to criminalize 'fake news' will form a broad overreach to silence political and social critics, as is happening in numerous countries around the world as we speak. As has happened in Canadian history, such as the War Measures Act.

6.2 The Ambiguous Nature of Fake News

As introduced in Section 2, 'fake news' has become an umbrella term. From statements such as women birth cats to Israel is committing a genocide and everything in between. Entertainment divisions, public figures and even respected institutions have used the term to denounce information they do not agree with, comes from questionable sources or is a flat out lie. While there are some definitions such as MDM or "intentionally and verifiably false news articles that could mislead readers", there is no unanimous decision on what constitutes 'fake news'. This inherent ambiguity lays at the heart of the problem in creating any strict enforcement mechanisms to diminish the presence of 'fake news'. The second part of this is what kind of 'fake news' should be targeted?

To make it as clear as possible, one should stick only to factual allegations, not opinions. However separating the two is harder than one may think. For instance - Israel is committing genocide against Palestinians - is a fact based on internationally agreed upon definitions of genocide from the UN *Convention on the Prevention and Punishment of the Crime of Genocide*. However, the statement - Israel has been committing systemic genocide against Palestinians since 1967 - is an opinion. That is because there is much debate regarding when it started, 1948, 1967, 1979, 1990, 2023, etc. and because the definition of systemic genocide is much more vague and open to interpretation.

Moreover, should only certain subjects be targeted in attempts to diminish 'fake news'. For instance, only those related to fundamental Canadian institutions. That being the Bank of Canada, the elected Government, Canadian Broadcasting Corporation, top-tier academic institutions, etc. Or should it be more broad and encompass all public figures, corporations, foreign events, etc. Would it include Canadian history and perspectives of our role in the international sphere?

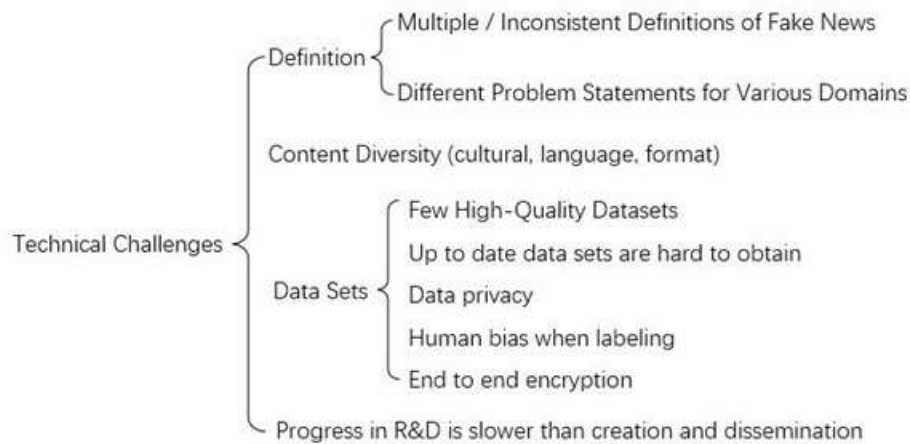
The third issue in this is allocating who decides which information is 'real' or 'fake'. It is no secret that those who control the information, control the abilities of a society. That the victors write the history. Information is a powerful asset, and to choose who is able to categorize through deleting information is an extremely powerful actor. Currently, that role is given to workers at the leading tech companies such as Meta and Google. It would be favourable to have Canadian institutions classify the news that Canadians receive. There are two obvious choices for institutions, the first is the judicial system with the courts able to decide. However, that will be a lengthy and unsustainable process for the common 'fake news'. The second is creating a special, non-partisan, government committee to decide.

6.3 Technological Barriers

The absence of a universally agreed upon definition for fake news impedes the accurate classification of contents¹²⁸. Together with the limited accessibility of high-quality labeled datasets hinder the effective training of AI algorithms¹²⁹. Moreover, the interpretation of fake news requires human-level context and common sense, which natural language processing model is still not fully capable of. Even human moderators may be deemed inefficient to some extent^{130, 131}. Last but not least, some applications (messaging apps) are closed systems with end-to-end encryption, meaning only the sender and receiver have access to the content being exchanged. While law enforcement agencies can monitor online contents and profiles, they will face difficulties tracking message trails across mobile messaging applications.

The predominant business model for most digital companies is online advertisements, where a highly engaged user-base is constantly exposed to targeted advertisements based on their identity, preferences, and online activity¹³². However, the lack of incentives, combined with the possible user backlash against excessive tracking/monitoring, has prevented social media platforms from actively addressing the issue of fake news. Current measures, such as content removal and reliance on manpower to flag fake news, are not effective nor transparent. While providing truthful information is important, it doesn't automatically neutralize the downside effect of banning fake news. As a result, the harm caused by widespread dissemination of fake news may prove challenging to fully rectify¹³³.

Exhibit 11. Technological Barriers to Address Fake News



Source: Szymon Zephan Capital

128. X. Zhou and R. Zafarani, "A survey of fake news: Fundamental theories, detection methods, and opportunities," *ACM Comput. Surv.*, vol. 53, no. 5, pp. 1–40, 2020.

129. X. Zhang and A. A. Ghorbani, "An overview of online fake news: Characterization, detection, and discussion," *Inf. Process. Manage.*, vol. 57, no. 2, Mar. 2020, Art. no. 102025

130. F. Monti, F. Frasca, D. Eynard, D. Mannion, and M. M. Bronstein, "Fake news detection on social media using geometric deep learning," 2019, arXiv:1902.06673.

131. N. Ruchansky, S. Seo, and Y. Liu, "CSI: A hybrid deep model for fake news detection," in *Proc. ACM Conf. Inf. Knowl. Manage.*, 2017, pp. 797–806.

132. N. Srnicek, "The challenges of platform capitalism: Understanding the logic of a new business model," *Juncture*, vol. 23, no. 4, pp. 254–257, Mar. 2017.

133. *Attention Economics and Fake News*, Hippo Reads. Accessed: Aug. 30, 2021.

6.4 Psychological Barriers

Humans are prone to cognitive biases, one of which is confirmation bias, where readers or viewers tend to seek and accept information that confirms their existing beliefs, leading them to accept fake news that aligns with their views. In essence, individuals may unknowingly propagate misinformation due to their sincere belief that the information is accurate because they desire it to be so. Research indicates that the dissemination of false information is not primarily attributed to programmed bots; rather, falsehoods are retweeted by unique users more broadly than true statements at every depth of cascade¹³⁴.

Cognitive dissonance works in a opposite way from the above-mentioned psychological factor: Individuals may feel uneasy when confronted with information that conflicts with their beliefs, prompting them to either reject or find counterevidence that challenges their worldview. Both confirmation bias and cognitive dissonance are heightened by online media's feed algorithms, which suggest users' favorite content, exacerbating their pre-existing tendencies¹³⁵.

The third psychological barrier is the illusion of truth, where individuals become more inclined to believe false information with repeated exposure, regardless of any initial doubt or awareness of its falsehood. Some famous examples include boiling a frog by gradually increasing the temperature and the story of explorer Cortez burning his ships after reaching America in order to motivate his crew. Oftentimes, misinformation is circulated so frequently that it can start to blur the line between fact and fiction.

Lastly, fake news often leverages emotional triggers, such as fear, anger, hyper enthusiasm, which often cloud judgment and lead individuals to bypass analytic thinking^{136 137}. In addition, peer pressure and social norms can influence individuals to accept and share misinformation within their circle of connections, particularly if it aligns with group identity or ideology¹³⁸. Both sets of factors yield similar but interesting outcomes: with individuals experiencing sadness or loneliness often demonstrating greater skepticism towards fake news and relying more on analytical thinking¹³⁹.

134. "The Spread of True and False News Online." *Science*. Science, March 9, 2018.

<https://www.science.org/doi/10.1126/science.aap9559>.

135. Vaish, Tanushree. "Social Media Algorithms and Its Impact on Fake News." *One Nought One*, February 2, 2022.

<https://www.onenought.one/post/fake-news-and-social-media-algorithms>.

136. Cameron, Martel, Gordon Pennycook, and Cameron Martel. "RELIANCE ON EMOTION PROMOTES BELIEF IN FAKE NEWS." *MIT*. MIT, March 2021.

https://ide.mit.edu/wp-content/uploads/2021/03/RBrief_Rand_Fake-News_final.pdf?x48459.

137. Bago, Bence, Leah R. Rosenzweig, Adam J. Berinsky, and David G. Rand. "Emotion May Predict Susceptibility to Fake News but Emotion Regulation Does Not Seem to Help." *Cognition and Emotion* 36, no. 6 (June 24, 2022): 1166–80.

<https://doi.org/10.1080/02699931.2022.2090318>

138. Duke's Fuqua School of Business. "Research Finds Peer Pressure Drives the Spread of 'Fake News,'" n.d.

<https://www.fuqua.duke.edu/duke-fuqua-insights/research-finds-peer-pressure-drives-spread-%E2%80%9Cfake-news%E2%80%9D>.

139. Taurino, Alessandro, Maria Hedwig Colucci, Morena Bottalico, Tamara Patrizia Franco, Giuseppe Volpe, Mariagrazia Violante, Ignazio Grattagliano, and Domenico Laera. "To Believe or Not to Believe: Personality, Cognitive, and Emotional Factors Involving Fake News Perceived Accuracy." *Applied Cognitive Psychology* 37, no. 6 (September 15, 2023): 1444–54.

<https://doi.org/10.1002/acp.4136>.

6.4 Political Expediency

Political expediency is a phenomenon wherein individuals or groups prioritize political objectives over truthfulness and accuracy. This propensity often leads to the manipulation of information to justify a particular political stance, irrespective of its veracity.

One prominent example of political expediency is the selective interpretation of scientific findings to support policy decisions. For instance, in the debate over climate change, politicians may downplay or distort scientific consensus to appease special interest groups or secure electoral support. Similarly, during election campaigns, candidates may propagate misleading narratives about opponents to sway public opinion in their favor.

To mitigate the impact of political expediency, regulatory measures are imperative. One proposed solution is the regulation of social media platforms to curb the dissemination of false or misleading information. Additionally, legal measures, such as stringent penalties for spreading misinformation or manipulating facts for political gain, can serve as a deterrent. Furthermore, enhancing civic education and critical thinking skills can empower individuals to discern truth from political propaganda.

Political expediency poses a significant threat to the integrity of democratic governance and public discourse. By distorting truth for political gain, individuals and institutions jeopardize societal well-being and undermine the foundations of democracy. Addressing this phenomenon requires a multifaceted approach, encompassing regulatory interventions, legal frameworks, and educational initiatives. Only through concerted efforts can we safeguard the truth and uphold the principles of transparency and accountability in political discourse.

6.5 Originating from 'Credible' Source

The perception of credibility is subjective and influenced by various factors, including familiarity, expertise, and perceived trustworthiness¹⁴⁰. Individuals often rely on sources they deem credible, such as close acquaintances or respected public figures, to guide their information consumption¹⁴¹. However, this trust can be exploited by malicious actors to propagate false or misleading information, amplifying the impact of fake news¹⁴².

To mitigate the influence of perceived credibility on the dissemination of fake news, proactive measures are necessary. Establishing third-party fact-checking agencies can help verify the accuracy of information

¹⁴⁰ Metzger, M. J., & Flanagin, A. J. (2013). Credibility and trust of information in online environments: The use of cognitive heuristics. *Journal of Pragmatics*, 59(Part B), 210–220. <https://doi.org/10.1016/j.pragma.2013.07.012>

¹⁴¹ Lewandowsky, S., Ecker, U. K. H., & Cook, J. (2017). Beyond Misinformation: Understanding and Coping with the "Post-Truth" Era. *Journal of Applied Research in Memory and Cognition*, 6(4), 353–369. <https://doi.org/10.1016/j.jarmac.2017.07.008>

¹⁴² Pennycook, G., Bear, A., Collins, E. T., & Rand, D. G. (2020). The Implied Truth Effect: Attaching Warnings to a Subset of Fake News Headlines Increases Perceived Accuracy of Headlines Without Warnings. *Management Science*, 66(11), 4944–4957. <https://doi.org/10.1287/mnsc.2019.3478>

and provide reliable sources for verification¹⁴³. These agencies can collaborate with social media platforms to identify and flag misinformation, thereby reducing its visibility and impact¹⁴⁴. Additionally, publishing routine reviews of impactful fake news stories can increase transparency and enhance public awareness of prevalent misinformation trends¹⁴⁵.

The perception of credibility poses a significant barrier to combating fake news, as individuals often rely on trusted sources, including friends, family, political figures, and social media influencers, for information. Addressing this challenge requires concerted efforts, including the establishment of third-party fact-checking agencies and the implementation of routine reviews on impactful fake news. By promoting transparency and accountability in information dissemination, we can empower individuals to critically evaluate sources and mitigate the spread of misinformation in society.

Whose Responsibility is it and how to stop on an individual level.

It is the responsibility of the individual to determine the credibility of a source by checking the credentials of the author, or the individual who posted the content online. They can determine if the information is accurate by seeing if it was peer-reviewed by experts in the field. Individuals can discern if the information is reliable by reading the whole article, as headlines can be misleading to capture the reader's attention. It could also be satire. Another strategy that could be employed is to research if there are other legitimate news sources that provide the same message and corroborate the story. It is important to be aware of confirmation bias, as it is part of our human nature, and if we ignore it, we might begin to disregard information that opposes our ideology. Moreover, analyzing the entirety of the story is crucial to understand how the facts are being presented to discern if there are critical pieces of the story missing. Additionally, in today's digital age, it's important to be discerning with viral content because more often than not it is vital because it is untrue. Lastly, checking the date of the story is pertinent to ensure that you are provided with the most up to date information that relies on present-day data.

A few ways to reduce the spread of fake news on an individual level, is to conduct your own research utilizing peer-reviewed sources and sharing that on your network by correcting the incorrect information. Individuals can also comment on the social media posts that are posting fake news, with facts to combat the spread of misinformation. Another strategy is they can attempt to contact the author or administrator to correct their mistakes, share facts and ask for a retraction [see Section 7.6 for detailed discussion].

143. Pennycook, G., Bear, A., Collins, E. T., & Rand, D. G. (2020). The Implied Truth Effect: Attaching Warnings to a Subset of Fake News Headlines Increases Perceived Accuracy of Headlines Without Warnings. *Management Science*, 66(11), 4944–4957.

<https://doi.org/10.1287/mnsc.2019.3478>

144. Guess, A., Nagler, J., & Tucker, J. (2019). Less than you think: Prevalence and predictors of fake news dissemination on Facebook. *Science Advances*, 5(1), eaau4586-.

<https://doi.org/10.1126/sciadv.aau4586>

145. Broniatowski, D. A., Jamison, A. M., Qi, S., Alkulaib, L., Chen, T., Benton, A., Quinn, S. C., & Dredze, M. (2018). Weaponized Health Communication: Twitter Bots and Russian Trolls Amplify the Vaccine Debate. *American Journal of Public Health* (1971), 108(10), 1378–1384.

<https://doi.org/10.2105/AJPH.2018.304567>

Section 7 Policy Options and Recommendations

7.1 Self-Regulation

Self-regulation is indispensable in improving the reduction of fake news as it enables media organizations and platforms to autonomously monitor and enforce ethical standards and content guidelines. By assuming responsibility for their content, these entities can promptly identify and address misinformation, thus curtailing its dissemination and minimizing its impact on public discourse. Moreover, self-regulation cultivates trust and credibility among audiences, who perceive organizations adhering to rigorous standards as more reliable sources of information. Ultimately, self-regulation plays a pivotal role in promoting integrity and accountability within the media ecosystem, thereby contributing to the effective management of fake news.

7.2 Whistle Blower Protection Program

Highlighting whistleblower protection can significantly aid in combating fake news by demonstrating a commitment to transparency and accountability. By actively promoting whistleblower protection programs, organizations can enhance their visibility and credibility, encouraging greater participation from individuals with credible information about misinformation or unethical conduct. This increased engagement strengthens the effectiveness of whistleblower mechanisms in identifying and rectifying instances of fake news, ultimately fostering greater trust in the integrity of information sources and promoting more informed discourse.

7.3 Third Party Authorization Agency

Third-party fact-checking helps reduce fake news as it offers an independent assessment of information accuracy, helping to counteract the spread of misinformation and promote informed decision-making. Utilizing a crowdsourced fact-checking centralized agency proves to provide “valuable and high-quality contributions in combating misinformation”¹⁴⁶. Through a comparison between crowdsourced and professional fact-checking services, the research was completed by evaluating four dimensions, variety, velocity, veracity, and viability of a crowdsourced fact-checking service¹⁴⁷. A key result of the research was that the “accuracy of the crowdsourced community (veracity) is comparable to that of the professional sources, and that the crowdsourced fact-checkers are perceived by raters to be quite close to professionals

146 Zhao, A., & Naaman, M. (2023). Insights from a Comparative Study on the Variety, Velocity, Veracity, and Viability of Crowdsourced and Professional Fact-Checking Services. *Journal of Online Trust and Safety*, 2(1).

<https://doi.org/10.54501/jots.v2i1.118>

147 Zhao, A., & Naaman, M. (2023). Insights from a Comparative Study on the Variety, Velocity, Veracity, and Viability of Crowdsourced and Professional Fact-Checking Services. *Journal of Online Trust and Safety*, 2(1).

<https://doi.org/10.54501/jots.v2i1.118>

in terms of clarity... (viability)¹⁴⁸. Overall, utilizing a crowdsourced agency will also provide much faster responses than professionals (velocity) as they are familiar with recurring topics and build upon their existing knowledge to provide responses to inquiries¹⁴⁹.

7.4 International Cooperation

International cooperation on the topic of combatting disinformation is a required force. As this threat is a globally interconnected approach by means of international social media organizations, the use of foreign interference and targeted western ideals such as a free and democratic state. The use of international entities such as the G7, the OAS or UN allows for a multiplicity of ideas and approaches to the topic. Moreover, creating voluntary international frameworks such as the UN Guiding Principles on Business and Human Rights or the Hiroshima Process International Guiding Principles for Organizations Developing Advanced AI Systems, for this topic specifically could prove a valuable asset to ensuring an aligned approach. Especially on definitions of 'fake news' and the use of legal mechanisms in ensuring the balance between reasonable enforcement and freedom of speech.

7.5 Demonetization of Fake News Incentives for Responsible Platform Design,

Funding for Organizations Actively Involved IN-APP Fact Checking.

Demonetizing disinformation is one of the leading recommendations across all major intergovernmental entities to date. Focusing on limiting incentives to produce and disseminate disinformation. This often is a collaborative effort among numerous stakeholders including major technology companies such as Google and Advertising agencies. Moreover, this report suggests increased government funding, or tax write offs, to organizations that actively promote in app fact checking and social media corporations that promote responsible platform designs focused on combating disinformation. For instance, community tools to flag potentially harmful and dishonest content. Or local community newspapers that dedicate a portion of journalists to fact-check major Canadian stories.

148. Zhao, A., & Naaman, M. (2023). Insights from a Comparative Study on the Variety, Velocity, Veracity, and Viability of Crowdsourced and Professional Fact-Checking Services. *Journal of Online Trust and Safety*, 2(1).

<https://doi.org/10.54501/jots.v2i1.118>

149. Zhao, A., & Naaman, M. (2023). Insights from a Comparative Study on the Variety, Velocity, Veracity, and Viability of Crowdsourced and Professional Fact-Checking Services. *Journal of Online Trust and Safety*, 2(1).

<https://doi.org/10.54501/jots.v2i1.118>

7.6 Emphasize the importance of Media Literacy and Self-Assessment

A governments' emphasizes on individuals' understanding of how information is generated, shared, and validated can reduce their populations susceptibility to fake news outlets. Educating the public to inquire about certain key points when encountering suspicious content can further increase their resilience. A focused campaign, such as the Government of Canada sponsored Digital Citizen Initiative should include:

An individual approach to spotting fake news

- Critically analyze the identity, methodology and motives of the author (who, how and why?)
- Critically analyze how the identity, methodology and motives of the publisher differ or align with the author. For instance, does the Wall Street Journal publish information within a specific framework of thought?
- Ask yourself whether the source is deemed authoritative or trustworthy.
- Check the date of the article. Is the information still current and/or relevant?
- Read the entire article, not simply misleading headlines.
- Try to identify any omitted facts by comparing them with other trusted sources.
- Identify the type of writing, for instance is it a critical research analysis or a satirical story.

A collective approach to stop the spread of fake news.

- If you find fake news, correct the disinformation and share the updated information.
- If it is found on social media, alert the author of the invalidity by commenting on the post and/or sharing it with a bold disclaimer of its disinformation. [Make sure to respond with facts, not emotion].
- If you are unsure of the validity, but do not have time to research and respond, forward the post and/or article to a fact-checking organization such as Canada Fact Check.
- You are responsible for ensuring the validity of content you share. Make sure you follow the actions in Step 1 prior to sharing.
- If fake news is not shared, it doesn't get seen.

7.7 Priority Based Approach

As mentioned in previous Section 6, the challenges in multiple aspects render universal fake news detection unfeasible. Prioritizing resources to management of misinformation in public health over entertainment for instance can simplify the approach. The science community may be assigned the lowest priority, given that most content undergoes peer review, and false claims of discoveries or theories are often disproven over time. Prioritization can also take place in blocking the webpage with the most traffic inflow and certain nodes (influencers) or links in the network.

7.8 Transparency of Online Advertisement

Online advertisement should be subject to transparency obligations supported by proper oversight. This may include a strict pre-approval stage for political and social issue related advertisements, requiring detailed information on why, how and which ad viewers are targeted. The public should be able to access and gain a better understanding of purpose, impact of advertisements and associated feed contents.

7.9 Credible Journalist Certification

Here we suggest a national certification process whereby journalists can receive verification that they promote ethical industry standards such as multi-step fact checking. who promote fact checking. This could be structured similarly to a CPA (Chartered Professional Accountant), or as a 'higher learning' certificate which will grant better opportunities to the journalist. The main intention here being a focused promotion to hire journalists who rigorously understand the need for ethics within the industry)?

Further Research

Further research should be conducted on the societal conditions which allow fake news to thrive. That being, does political and economic structure dictate likelihood? Do societies with a greater sense of social equality weaken attempts to promote disinformation? Within children, does increasing access to technology increase likelihood of successful disinformation campaigns? And so forth. Research should focus on an international perspective of comparing societies and cultural values. Case studies would be extremely helpful between varying responses to attempts at foreign interference through disinformation campaigns. Thereby understanding which social strategies work best.

Section 8. Conclusion

There is no speculation that fake news fragments social cohesion. The fact exists that a society who has a firm understanding of reality by means of critical thinking will typically fare better both domestically and internationally. However, to create this in the 21st Century with rapidly advancing technology requires a focused and consistent strategy – regardless of political administrations.

This report aimed to frame the discussion of combatting fake news in Canada within a wider, international perspective. By understanding what is being done across the globe, especially within Canadian ally regions, we can begin to understand accessible options. Moreover, this report shed light into the varying existing legal frameworks which can be strengthened to combat disinformation domestically. Such as federal defamation laws found in the *Criminal Code*, *The Security of Canada Information Sharing Act*, *Canada Elections Act* and regulatory bodies such as the CRTC to govern both media ownership and balanced information. Additionally, this report identified government action at varying levels with an international comparison. Focusing on both the challenges and benefits to consider when creating a consistent strategy.

The barriers to address fake news in Canada was succinctly expressed in section 6 of this report. Those include concerns regarding censorship, a tangible and narrow definition of fake news, inadequate technological innovations to address the problems advancing technology has helped to create psychological motivations to believe fake news, the toxic trait of political expediency at the expense of institutional trust, and limitations in identifying credible sources.

Finally, this report concludes with nine key policy recommendations. Each leveraging a balanced and collaborative approach to combating disinformation. For instance, granting tax breaks to organizations who focus on fact-checking, creating a Credible Journalist Certification, or creating a two-fold public education campaign highlighting both the individual and collective responsibility we share in promoting authentic information.

To quote the United Nations Report of the Secretary General, “Disinformation does not exist in a vacuum, and approaches that try to “solve” disinformation without addressing the conditions conducive to its occurrence and spread will not succeed”¹⁵⁰. Thereby this report also highlights a need to conduct further research unto the social conditions which allow fake news to thrive. For with greater information, we can all make a balanced decision to understand our best path moving forward. This is the fundamental aspect of what makes fake news on its own so inherently dangerous – only being able to view one perspective. Thus, any solution to combat must have access to balanced information front and centre.

150. UN Report of the Secretary General Countering disinformation for the promotion and protection of human rights and fundamental freedoms page Art. 8 pg 3,
<https://documents.un.org/doc/undoc/gen/n22/459/24/pdf/n2245924.pdf?token=dWw5c5xikzAw3hvlZx&fe=true>

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