



# The Dilemma of Fake News Criminalization on Social Media

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**Abstract.** The present research analyzes the dilemma faced in Brazil about the criminalization of fake news disseminated mainly on social networks. The growth of social networks use around the world promotes more skillful ways of communicating and spreading true or false information in the information society. The objective of this study is to examine the trend of fake news spreading, coined by fake news, and the reaction of Brazil seeking to stop this dissemination through a criminalization process, as a way to confront this phenomenon. This study investigates effects of fake news around the world including Brazil, seeking to examine social changes and the role of Brazilian government in confronting this phenomenon. In Brazil, this battle starts even before a criminal process, as it begins in the criminal investigation carried out by the Brazilian police. However, it is through criminal proceedings that Brazil solves conflicts that arise from criminal conduct defined by law. The dilemma is that no Brazilian law considers fake news crime. In addition, the relationship between the information society and the spread of fake news on social networks is addressed in the research, bringing a reflection about freedom of speech and maintaining the individual responsibility of each individual. Aspects about the challenges of police investigation concerning fake news effects were addressed taking into consideration the issue of related crimes committed on social networks, such as copyright infringement and defamation, benefiting from the reach of information on digital communication networks.

**Keywords:** Fake news · Police investigation · Criminalization

## 1 Introduction

The social transformations that have outlined the current information society especially due to the evolution of technological development encourage Brazil to reflect on changes in procedures, aiming to adapt itself to aspects of the new scenario that has been built from these social transformations. Technological development has been an important lever for these changes.

Social networks are an open space for exposition of opinions and manifestations of thought in general. It transports a large volume of information on the communication networks, which is rapidly renewed due to this volume. The freedom of speech is an important right warranted in democratic countries. At the same time, protecting the moral

integrity and inviolability of constitutional guarantees are duties of the State and in the case of Brazil ensured in its Constitutional Charter.

This study examines these social transformations and the mobilization of the State to outline its role given the effects of these transformations. Faced with the phenomenon of fake news, Brazil faces the dilemma of criminalizing fake news disseminated mainly on social networks. The law proposal of turning fake news into criminal act is ongoing in the Brazilian parliament [1]. About Brazilian police's work activity, the modernization of police investigation procedures and techniques and the criminal process is an urgent need to engage in the fight against fake news.

These transformations in the information society brought changes in social habits especially about advertising in public spaces such as social networks. With this portrait of transformations the effects produced by them came, among them the emphasis on individuality, that its fluid characteristic was labeled as modern and liquid [2].

The awakening of the world by a sort of thirst for knowledge coming from the information absorbed deep in what was conventionally called modernity. Many social transformations resulting from the confrontation with the possibilities of knowing, portray a modern society markedly modified by the reality of a post-war environment, which, as described by Bauman [2], was followed by unprecedented growth in which wealth and security were established. He also states that in this "fluid world" individuals can exercise their freedom of choice.

A democratic country has to deal with possible conflicts between modern liquid behavior and the limit of individual freedom. In this context, there are legal instruments that act to safeguard the maintenance of collective public order, such as the application of a temporary or preventive prison sentence.

Among the challenges examined, the question of copyright, which ends up being violated in various ways and constantly threatened by new means of improper dissemination, characterizes a related crime, that is the crime of piracy. The evolution of how intellectual creations were made available brought more modern means of publishing works, but it also brought problems of copyright.

Among the list of challenges, perhaps the main one is the phenomenon of fake news, and how this phenomenon is affecting both direct freedom of speech and the inviolability of the individual's moral integrity. In addressing the theme manifestations of the country's authorities on the subject are seen. Some public security initiatives are presented, specifically regarding the modernization of criminal investigation, which aims to combat cybercrime.

Throughout the Internet, wide dissemination of documents, images, audios, and others are launched across borders. According to Castells [3], "what characterizes the current technological revolution is not the centrality of knowledge and information, but the application of this knowledge and information, in a feedback loop".

The information technology revolution [3], does not refer only to the volume of information and the speed that its reach has demonstrated, but to how much knowledge has been produced from the expansion of information. This is a discussion about the migration from an information society to a knowledge society. What to do with the information is the object of social debate nowadays.

## 2 Methodology

This research has exploratory nature. It seeks to examine social changes and the role of Brazilian State struggling with the challenges of the information society arising from these transformations, such as fake news. The work followed the method of bibliographic research, having started with consultations on the Scopus and Web of Science databases, between the years 2018 and 2020, in Portuguese and English, in addition to published literary works, thus seeking to approach the theme and identify important facts for the analysis of the study. The second step was the examination of literary sources that address the proposed theme, and with that constructed the review of the study literature. Another step was to analyze research information that shows the incidence of fake news in the world, and also analyze the draft law in Brazil which is an initiative aiming the criminalization of fake news in the country. On the final, step the final considerations were present.

## 3 Fake News as a Manipulation Tool

The spread of fake news has no boundaries. Fake news occupies a place of concern around the world. This section discusses the problem of fake news worldwide and Brazil.

### 3.1 Fake News in the World

The discussion about fake news is present in democratic countries. The global movement called Transparency International published the Global Corruption Barometer - Latin America and the Caribbean [4], where it discusses citizens' opinions and experiences related to corruption.

This survey was carried out between January and March 2019, with over 17 thousand people, and presents issues concerning the fight against corruption in 18 countries. One of the survey's questions asked participating people if they thought corruption had increased in their countries in the past 12 months. Half of the countries had rates above 50%. Table 1 shows which countries were those:

**Table 1.** Countries with higher than 50%.

Countries	Percent
Venezuela	87%
Dominican Republic	66%
Peru	65%
Trinidad and Tobago	62%
Panama	56%
Brazil	54%
Chile	54%
Honduras	54%
Colombia	52%

The countries that were below this index were: Argentina (49%), Costa Rica (49%), Jamaica (49%), Guatemala (46%), El Salvador (45%), Bahamas (45%), Mexico (44%), Guyana (40%) and Barbados (37%). The theme of this requirement dealt with the rising sensation of corruption. One of Barometer's published findings is that the spread of fake news during elections is one of the causes of political corruption.

The Global Corruption Barometer brings in its first recommendation two points that have been appearing together in discussions around the world: elections and fake news. It proposes the defense by the integrated police in elections and control of fake news, as an anti-corruption and democracy-strengthening measure.

Hendricks and Vestergaard [5] present fake news as an old phenomenon, mentioning the visit of Benjamin Franklin to Paris in 1782, one of the leaders of the American Revolution, to negotiate peace between England and the USA. He says that Benjamin Franklin published a false report to mobilize public opinion in England and Europe. The author presents fake news as a weapon to gain political power and advantages.

The concern with the dissemination of fake news has taken the peace of the world by the fact that this practice interferes in the elections of the countries. Faustino [6], points to the 2016 US elections as a great example of the spread of fake news. The author states that the spread of fake news on social networks was responsible for the final result of that election.

Faustino [6] points out the use of fake news as a political tool, whose objective is the manipulation of public opinion, through social networks. To control the spread of publications that violate rights, the United States of America counts on the Digital Millennium Copyright Act (DMCA). This regulation allows the removal of content from the Internet that violates copyright, fake news and others.

The application of the DMCA takes place under the pressure of strong criticism, as it is compared to a form of censorship. The 1996 Telecommunications Act exempts Internet service providers from blame for content generated by customers.

Another example of fake news was during the period of the great earthquake in eastern Japan, a lot of fake news were spread on Japanese Twitter [7]. During the 2017 German election, several false stories circulated on social media [5]. These stories were polarizing and worked fostering division and distrust.

The United Nations Development Program (UNDP) published a report on its portal that deals with "Accountability in the era of 'disinformation': going beyond transparency in Latin America and the Caribbean" [8]. According to this report, the intentional creation of the dissemination of false information promoted the breaking of the information value chain in Latin America and the Caribbean. Many of these cases are related to facts produced intentionally in the field of politics.

### 3.2 Fake News in Brazil

Accordingly to a research released by the Brazilian Federal Senate social networks are responsible for influencing the vote of 45% of the population [9]. The research points out that the contribution in influencing opinions comes from technological tools, such as Facebook, WhatsApp, YouTube, Instagram, and Twitter. The result released in this survey indicates that citizens are aware about the fake news problem, but 47% of

Brazilians agree that it is difficult to identify the veracity of information coming from social networks.

Galhardi et al. [10] concluded in their study that WhatsApp is the main channel for sharing fake news, followed by Instagram and Facebook. Also according to these authors, the phenomenon of fake news in Brazil during Covid-19 contributes to discredit science and global public health institutions. This study reports the contribution on the use of the *Eu Fiscalizo* smartphone app, created by researcher Claudia Galhardi, from the National School of Public Health, of the Oswaldo Cruz Foundation (Fiocruz) to face fake news in the context of the Covid-19.

Fiocruz is a public foundation linked to the Brazilian Ministry of Health. The launch of *Eu Fiscalizo* had the objective of simplifying communication between society and the government in the face of the proliferation of fake news in the media, especially in social networks.

For Faustino [6], the 2018 elections in Brazil suffered from the same problem as the North American elections in 2016. He states that in the 2018 presidential election there were several instances of fake news involving the two main candidates of that election Jair Bolsonaro and Fernando Haddad. The Brazilian Electoral Court in some occasions in these elections determined the withdrawal of content with the dissemination of fake news.

Electoral disputes in Brazil always seem to be on the rise. Internet publications were collected on operations carried out by the Brazilian Federal Police whose theme was elections. In this search, 87 operations were found between 2010 and 2017. Table 2 presents these findings.

**Table 2.** Brazilian Federal Police operations on elections.

Years	Operations	Prisons	Deponents
2010	2	5	0
2012	3	0	6
2013	1	0	0
2014	3	3	38
2015	3	3	0
2016	52	69	89
2017	23	14	11

The content of Table 2 shows the growth of Federal Police operations over the years. This survey also shows an increasing number of arrests and people carried along to provide further explanation.

In a survey conducted by the Ipsos institute in 2018 [11], 62% of interviewed Brazilians admitted to having falsely believed that a news report was real until they discovered it was false. The world average for this item is 48%, which means that Brazil is above the average.

When asked if people upon hearing the term “fake news” think that these are stories in which the media or politicians only choose facts that support their side of the argument, the answer was only 25%. This index contradicts the result of several surveys that point to the elections as an open field for taking advantage of the use of fake news.

The Reuters Institute produced a report for the year 2019 [12] which gathers information about fake news. According to this report, WhatsApp takes the place of the main social network for exchanging news. In this survey, Brazil appears with 53% of those who responded to using WhatsApp as the main source of news and discussion, alongside Malaysia (50%) and South Africa (49%).

All this information pointed out in research and news show that the concern with the phenomenon of fake news dominated the agenda of countries worldwide. It was no different from Brazil, which has also been reacting to the phenomenon.

## 4 The State’s Duty in the Information Society

Disinformation has a detrimental impact on society, such as diverting the focus of truly important problems. Faced with a negative impact scenario that spreads violence, confusion, and false accusations, it is important to find the role of the State in the information society.

### 4.1 Context of Application of Police Investigation to Combat Fake News

In the midst of all these transformations in the era of the information society, there is the investigation by police forces that must collect and analyze information from social networks, to curb fake news to preserve collective rights. In Brazil, the product of this investigation is Police Inquiry.

As is known, it is thanks to the technology that information produced in the world has been multiplying. The growth in this volume of information is largely proportional to social networks. For Faustino [6], social networks promote relationships by generating bonds in cyberspace.

The society that the modern world has produced has given each individual its own space of protagonism, where each one can plead their private interests. Along this path, the challenge of achieving satisfaction is in constant flux. Consumerism is no longer about the satisfaction of needs, but of desire [2].

In this context of striking individuality, responsibility is also present. Reflection on freedom, which stands for both good and evil, reveals this coexistence that needs to be conciliated. It is not a question of incompatibility or contradiction, but ambiguity. There is an implicit limit, decisively imposed on individuality, freedom does not overlap society [2].

It is exactly between individual freedom and the collective social order that the invisible limit of the use of information lies, which goes beyond public and private. The State, through police investigation, will act in the incidents that exceed this limit.

On the path to follow and technological evolution, or revolution, resulting from the transformations caused by the information society, the Brazilian State has been seeking

to update the form of its procedures. An example of this update is the creation of the electronic process.

For Greco and Martins [13], from the point of view of the observer of the operator in the field of law, it is not possible to predict the advances that may occur in the field of technology in the following years. Although the work of these authors was published in 2001, the same observation is valid, as technology is constantly evolving.

It is in this context that information is collected and produced for police investigation, that is, the information from the police investigation is, at least in part, the product of the information society. The State must focus on social changes. It is up to the jurist to monitor the economic and technological revolution to recognize the changes arising from these transformations and be able to adopt all necessary measures [13].

## 4.2 Project to Criminalize Fake News in Brazil

Since 1995, there has been a consultative body in Brazil that acts in the integration of Internet-related activities in the country. It is the Internet Steering Committee (Comitê Gestor da Internet - CGI). Resolution CG 003/2009 originated from the CGI's regular meetings, which establishes ten principles related to internet governance in Brazil that came to be known as "The Decalogue of the Internet".

Brazil was already showing signs of concern with the regulation of principles for the use of the internet in the country. Brazilian law 12/965/2014 is known as *Marco Civil da Internet* (Civil Milestone law for the Internet). The previous launch of the Internet Decalogue served as a solid source for the emergence of the Civil Milestone law for Internet, which establishes principles, rights, and duties for the use of the Internet in Brazil.

The phenomenon of fake news results in a great demand that spreads quickly thanks to social networks. As previously seen, the WhatsApp application stands out among those that most provide fake news in Brazil. The theme led the president of the Superior Electoral Court (Tribunal Superior Eleitoral - TSE), Minister Luiz Fux at the time, to highlight in a lecture at the International Seminar on Fake News how much fake news are harmful to the democratic environment and, above all, to elections [14]. In his speech, he added the intention of being absolutely tireless in the fight against fake news.

The Brazilian Federal Police presented at the Parliamentary Commission of Inquiry (Comissão Parlamentar de Inquérito - CPI) the Tentacles Project, which is an internal initiative to improve the efficiency of cases involving cybercrimes. According to this report, in the case of this police investigation, Project Tentacles avoided up to 582 police investigations [15].

During the 2018 Brazilian presidential elections, the Federal Police signed a partnership with the United States Federal Bureau of Investigation (FBI), with work carried out in Brazil and the United States, to jointly investigate cybercrimes. This measure also included combating the use of fake news [16].

At the end of 2018, the General Law on the Protection of Personal Data (Lei Geral de Proteção de Dados Pessoais - LGPD) came into force, placing Brazil in the group of countries that have their own legislation to defend the privacy of citizens. Faustino [6] states that freedom of speech and privacy are two constitutional principles that are complied with in the LGPD because it deals with personal data.

When talking about the anonymity and identity of the people behind the publications on social networks, Faustino [6] states that the Brazilian Federal Constitution guarantees freedom of expression of thought, but prohibits anonymity. This statement is in line with Bill of Law 2630/20.

Today, Bill 2630/20, which establishes the “Brazilian Law on Internet Freedom, Responsibility and Transparency”, is under discussion in Brazil [17]. This project aims to establish rules on transparency in social networks.

The draft of this bill several times mentions “untagged content”, referring to the prohibition of anonymity in the dissemination of information. The text proposed in this bill makes it clear that the objective is to make the source of any dissemination of news identifiable.

In addition to providing for the responsibilities and duties of application providers in combating disinformation, the original text of this bill provides for several penalties for application providers. Table 3 presents some of these sanctions included in article 28 of the project.

**Table 3.** Penalties provided for application providers.

Items	Sanction
I	Warning
II	Fine
III	Temporary suspension
VI	Exercise ban

The gradation of the sanction will depend on some factors, such as how serious the fact is, whether it is a repeat offender, and the economic capacity of the offender. In the final provisions, there is still a provision to insert in the Administrative Improbability Law, Law 8,429/1992, the act of disseminating or competing for the dissemination of disinformation, through inauthentic accounts, artificial disseminators, or artificial disinformation dissemination networks.

Given this, the aforementioned bill deals with the criminalization of the spread of fake news. This bill has already been approved in the Federal Senate. He is currently awaiting agenda for discussion at the Chamber of Deputies.

## 5 The Problem of Fake News in the Supreme Court of Brazil

In March 2019, after becoming aware of offenses against the Supreme Court (Supremo Tribunal Federal - STF) of Brazil, which is the highest Court in the country, the presiding minister at the time, Dias Toffoli, opened the criminal inquiry (Inquérito Criminal - INQ) 4781 [18], known as the Fake News Survey. The purpose of this investigation is to examine mainly the existence of fake news, but also slanderous denunciations, threats, and others.

The opening of this criminal investigation in the Supreme Court was surrounded by controversy, mainly because there was no indication of act performed that would pose a real threat to the Supreme Court. This was the object of the lawsuit of Arguimento de Non-Compliance with Fundamental Precept (Arguição de Descumprimento de Preceito Fundamental - ADPF) [18], which questions the legality of the STF president's act. The ADPF 572 was proposed by the political party named *Rede Sustentabilidade*.

Another question of ADPF 572 was the fact that the investigation is not subject to free distribution, as determined by the Internal Regulation of the STF itself. The president of the Supreme Court directly appointed Minister Alexandre de Moraes to conduct the investigation. ADPF 572 has already been judged by the plenary of the Court and the decision was based on the fact that the action was not applicable [18].

The controversy was not only restricted to political parties but extended to the Legislative Branch and even to civil society. The article "Senators criticize STF for validating fake news inquiry" [19] demonstrates the scope of this controversy. According to the article, senators criticized the fact that the Supreme Court opened the case, being a victim and judges of the Court itself.

Also according to the matter, for senator Marcos Rogério (DEM-RO), the initiative of the president of STF is a violation of the accusatory system. The main feature of the accusatory system is the separation between prosecution and trial functions [20]. Although the Supreme Court has repeatedly reaffirmed in its decisions the adoption of the accusatory system, this has not been an obstacle to open an internal investigation that the Court itself will judge.

It is important to remember that in Brazil, legal scholars differ in terms of the criminal system adopted by the country. There are basically three systems of criminal prosecution: inquisitorial, accusatory, and mixed.

In the case of *Instituto Politeia* [21], journalist André Borges Uliano also attacked the initiative of the president of the STF, claiming that it was illegal. In this matter, five reasons are presented that justify the opening of the investigation to be abusive. Table 4 presents these reasons.

**Table 4.** Reasons that classify the opening of the INQ 4781 in the Supreme Court as absurd..

Reason	Justification
1	The purpose of the investigation is undefined
2	Minister's appointment violates free distribution
3	Lack of Supreme Court attribution for the case
4	Opening in the STF violates the accusatory system
5	The investigation violates freedom of speech

The article was broadcasted with the title "Understanding why the investigation initiated by Dias Toffoli is illegal" [21]. However, since the Fake News Inquiry was opened by the Supreme Court, the many opposing positions were frustrated.

This episode of fake news in Brazil essentially involves politicians who maintain a blog profile to interact with their voters. There are also entrepreneurs involved in the defense of candidates in which they provided support.

The discussion about the legality of the Fake News Inquiry also involved Brazilian President Jair Bolsonaro. Speaking at a live broadcast on 05/29/2020 [22], President Jair Bolsonaro stated that the Supreme Court Fake News Inquiry is unconstitutional and has no legal basis. The president argued that political allies were being targeted without justified reasons, as a possible result of retaliation conducted by the Fake News Inquiry.

This episode gave the topic of fake news the ability to bring together the three Branches (Executive, Legislative and Judiciary) of the Federative Republic of Brazil around it with differences of opinion.

## 6 Initiatives to Combat Fake News

The spread of fake news has driven public institutions, governments, the press, and various sectors of society to adopt measures to face this phenomenon. As a result, initiatives have emerged to combat the spread of false information.

The initiatives involve the public and private sectors, in addition to civil society itself. Given that fake news are at the center of discussion around the world, it may be that the development of measures to combat fake news are evolving.

### 6.1 International Seminar “Fake News and Elections”

Aiming at the integrity of electoral process, but also at the freedom of speech, the Brazilian Superior Electoral Court created the Consultative Council on Internet and Elections at the end of 2017. This Council was created to develop research and studies aiming at elections of the following year [23].

As a measure to combat fake news, the TSE signed agreements in 2018 with political parties whose commitment was to promote an environment of informational health. TSE also entered into partnerships with political marketing experts, intending to promote transparency in elections.

In 2019, the Brazilian Superior Electoral Court promoted the second International Seminar “Fake News and Elections” (the first Seminar took place in 2018). This 2019 event was supported by the European Union and brought together experts on the topic of fake news. This meeting of experts, which includes political figures, lawyers, journalists and academics, discussed contemporary themes such as electoral law and the limits of advertising, as well as freedom of speech versus crime against honor.

The fourth panel of debates took place under the theme “Tools to fight back fake news”. In this theme, some initiatives were mentioned, such as the *Comprova* Project [24], designed to combat disinformation in an election year that works with the voluntary participation of journalists checking the news on social networks.

The result in the 2018 elections, with three months of work, was to identify 147 rumors, where less than 10% were based on real facts. Another initiative is fact-checking agencies (that verifies statements given to the press) and Debunking (checking material

that has no origin). These agencies are affiliated and audited by the International Fact-Checking Network (IFCN).

As seen in that Seminar, the use of open-source research techniques allowed the identification of 404 profiles with traces of discrepancies concerning common Brazilian accounts, such as accounts that tweet in another language, but in the electoral period, they publish in Portuguese. In the discussions of this fourth panel, it was clear that the evolution of tools to combat fake news involve the use of Artificial Intelligence (AI).

Among the actions of the Superior Electoral Court in the fight against disinformation in the elections, the monitoring of social networks is one of them. This work was recognized by the Mixed Parliamentary Commission of Inquiry of the Brazilian National Congress [25].

## 6.2 CNJ Fake News Check Panel

On the initiative of representatives of the National Council of Justice (CNJ), of the magistrates' associations and the superior courts and the press, in April 2019, the Fake News Checking Panel was created to make the population aware about the dangers of fake news [26]. With this initiative, each partner contributes to the project with the tools they have.

This initiative was responsible for the campaign of using the hashtag #FakeNewsNo in the dissemination of posts on social networks, in videos and texts. 2 million tweet impressions were recorded in one month of this campaign. Other hashtags were used, such as #FakeNews and #FakeNewsPerigoReal.

This project counts on the participation of the Brazilian citizen through the e-mail fakenewsnao@cnj.jus.br. The result of this work helps to subsidize the content checking of the Courts involved. The project's interest is to expand the benefit to other Courts.

## 6.3 Coping with Fake News in Healthcare

In the midst of the coronavirus pandemic called SARS-CoV-2 which caused COVID-19 the world has to deal with the spread of fake news another evil that is also harmful. Content related to fake news has taken up a lot of space on social networks. From false allegations about governments and celebrities, to fake news that Microsoft's co-founder Bill Gates was behind the spread of the virus and that Italians accused the Chinese of bringing the disease to their country. There is no truth in any of this information [27]. The misinformation about COVID-19 ranges from conspiracy theories as a biological weapon in China, to information that coconut oil kills the virus [28].

In Brazil, the Ministry of Health has taken the initiative to make available a WhatsApp contact number to combat Fake News on health [29]. The initiative aims to collect suspicious messages from the population. Thus, viral information will be investigated by technical areas. After analysis, responses classified as false or true are published.

A count of 84 news reports were analyzed during 2020 and had already been released by the Ministry of Health. The news is published with the label "THIS IS FAKE NEWS!", when it comes to fake news, and labeled "THIS IS TRUTH!", when they are true. Among this news, 79 were classified as fake news against 5 news classified as true [30].

## 7 Final Considerations

This work addressed the aspects of the information society and its relationship with technological evolution that allowed the expansion of the reach of social networks, as well as the effects that resulted from this evolution. One of these effects is the main topic addressed, namely, the spread of false information on social networks, already known worldwide as fake news.

The analyzed information suggests that fake news may be having a detrimental effect on elections worldwide, acting as an instrument of corruption. For this reason, the spread of fake news has posed a threat to elections in democratic countries. This problem requires the defense of political integrity and the democratic system itself.

The analysis also indicates that Brazilians are susceptible to the diffusion of fake news, making Brazil a fertile ground for the spread of fake news. This study presented several aspects of how this theme invaded the Brazilian daily agenda.

The clash over fake news that has been developed points to the criminalization of the practice of spreading fake news. The edition of the Project of the “Brazilian Law of Freedom, Responsibility, and Transparency of the Internet” is currently the main initiative to regulate fake news. However, the outcome of this attempt to characterize fake news as a crime is still uncertain, until the law proposal that is being processed by the Legislative Branch is transformed into law.

If, on the one hand, Brazil does not yet have a law that typifies fake news, the challenges of police inquiry in the information society examined in this study reveal that there is an urgent need to modernize police investigation procedures and techniques. It was seen that there are already initiatives in this direction, such as the development of projects to deal with cybercrimes that makes work more effective and the building of partnerships with other international bodies, as was done with the FBI.

Fake news has left an institutional crisis trail in Brazil among the Branches of the Republic. The expectation is that by regulating a law to deal with fake news these divergences are pacified. This research identified some government initiatives to combat fake news. They complement measures to combat fake news and outline the role of the State in this confrontation.

Measures to confront fake news have been taken around the world. In Brazil, government institutions, the press, volunteer journalists, and even a portion of the population have been engaged in this activity.

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