

# Legal Solutions to Health Misinformation and Disinformation During the Covid-19 Pandemic Outbreak

Karolina Harasimowicz<sup>1</sup>, Hanna Nowicka<sup>2</sup>

<sup>1,2</sup>PhD Researcher Lazarski Law Faculty Warsaw - Poland, Lazarski University. Poland, 02-662 Warszawa ul. Swieradowska 43.

**How to cite this article:** Karolina Harasimowicz, Hanna Nowicka MSN. Legal Solutions to Health Misinformation and Disinformation During the Covid-19 Pandemic Outbreak. *Indian Journal of Public Health Research & Development* 2023;14(4).

## Abstract

The spread of false information online has increased dramatically in recent years. Around the COVID-19 pandemic, a digital epidemic of misinformation, or “infodemic,” has arisen. Since the beginning of 2020, digital platforms have served as both a source of and a remedy for Disinformation. After a few months of the epidemic, it is clear that ensuring health professionals access to necessary medical equipment and supplies is less crucial than fighting falsehoods online. Actions such as (a) urging social media firms to delete material about the epidemic that is contentious, (b) putting up special forces to counteract propaganda and false information (e.g., E.U., U.K.), and (c) incarcerating suspicious coronavirus false claims, including in connection to the public health interventions, were high priorities for many government agencies around the world in response to COVID-19. State of emergency measures used early on shaped future debates on how to strike a fair balance between free speech and censorship on the internet by, among other things, restricting access to news and encouraging journalists to hold back on their reporting.

**Keywords:** Online trust, information access, health misinformation, online conviction, COVID-19.

## Introduction

To control the COVID-19 pandemic, it will be necessary to confront epidemics with a deluge of false information. Yet, very few studies have tried to identify the traits shared by those who accept false information. We are not simply combating a disease outbreak but also an informational pandemic. The problem with fake news is that it spreads even more quickly and readily than a virus. Similar worries were raised by the WHO secretary director on February 15, reinforcing the danger that the COVID-19 pandemic poses from widespread online Disinformation. International law does not forbid states from

disseminating false information, with a handful of exceptions. False cures and ineffective preventative strategies have spread online simultaneously with the new coronavirus 2 strain of SARS, putting even more people in danger. Since January 2020, we’ve learned that guaranteeing much-needed medical tools and resources for health professionals is just as critical as combating falsehoods online.

Restricting access to information during emergencies would have far-reaching effects on our digital relationships, which are crucial to the smooth operation of our political, economic, scientific, and other institutions. The purpose of this study is to

---

**Corresponding Author:** Karolina Harasimowicz, PhD Researcher, Lazarski Law Faculty Warsaw - Poland, Lazarski University. Poland, 02-662 Warszawa ul. Swieradowska 43.

**E-mail:** haraskka@yahoo.pl

<https://orcid.org/0000-0002-2481-3490>

---

provide a synopsis of the influence of the news media and other sources of information on the epidemic. The purpose of this piece is to draw attention to the detrimental effect of false information on the epidemic. Moreover, the study discusses a few suggestions that might help reduce this load since avoiding the creation and spread of false information is crucial.

### **The impact of and legal response(s) to health disparities brought on and exacerbated by misinformation and disinformation about health-related issues.**

Several initiatives were launched to stem the spread of COVID-19 misinformation. There has never been such a tremendous plague and loss of human life, based on the disintegration of law and order. Among these measures is promoting social isolation by suggesting that people work from home, use authorised face-masks, and practice good hand hygiene. However, several difficulties have been encountered in putting these techniques into action. False information played a significant role in spreading the coronavirus. Misinformation concerning COVID-19 was also widely disseminated through social media. According to a poll of American opinions and perspectives on the virus, those who acquire information from social network platforms are more likely to believe myths about the causes, transmission pathways, and preventative measures for COVID-19.

The general public may dismiss scientifically verified knowledge and recommendations because of widespread exposure to erroneous information. The credibility of recent scientific discoveries on COVID-19 therapies and vaccine candidates has been doubted, even though these treatments and candidates are effective.

Myths and misconceptions have hampered the vaccine's uptake regarding the drug. Vaccination has the potential to be a crucial strategy in controlling the virus's spread. Unfortunately, it has been challenging to employ vaccination as a preventative tool because of the unfavourable attitude of society due to misinformation. This is significant since the rule of law serves as the cornerstone for guaranteeing that both public and private entities are held accountable,

that just laws uphold essential freedoms, that government is transparent, and that justice is easily available. A flood of false information was broadcast to the public after the outbreak, making it difficult for people to act sensibly. When rumours of a probable lockdown spread, it devastated food and paper goods availability. After an influential person spread false information, the price of medications thought to treat COVID-19 skyrocketed within minutes. It is evident from the conversations that false information about the epidemic significantly contributed to its rapid spread. As a result, society has to reflect on what went wrong and make amends, so that false information regarding similar incidents isn't allowed to propagate in the future.

### **The development of legal and policy structures and strategies to address misinformation and Disinformation about health-related issues**

The spread of false information in the digital realm is worldwide, much like the epidemic itself. Local remedies are just part of the answer, as seen by the legislative reactions and interim measures proposed thus far. Without international strategies, domestic initiatives risk trampling on decades of progress toward greater individual freedom. The COVID-19 reaction was addressed by lawful Convention WHA73.1 approved by WHO Participating Nations. The Resolution urges Member Countries to offer trustworthy COVID-19 information, take action to combat misinformation and disinformation, and make use of digital media throughout the response in recognition that regulating the infodemic is a crucial component of managing the COVID-19 outbreak. Accurate reporting and well-informed public conversations are the best defence against the spread of misinformation online. Digital interactions are now vital to our political, fiscal, scientific, and educational institutions, restricting admittance to information in moments of predicament should have long-term ramifications for all these spheres. With more and more people turning to digital resources like search engines and social media channels for their health data, issues like inaccurate information about non-communicable diseases and health disinformation are becoming more pressing. To begin with, governments are aggressively combating the transmission of misleading information by imposing new obligations

on the numerous players via various measures such as law, partnerships, literacy, and administrative agencies. Second, as vehicles of communication, both social and conventional media have tacitly or openly recognised their responsibilities in aiding the spread of false information. Various forms of self-regulation have been used, including technological tools, to identify and remove false or misleading content and promote trustworthy sources. In addition, they've established internal mechanisms for evaluating disinformation operations and are fully dedicated to halting the spread of harmful words. Lastly, civic society has raised public awareness about health-related deception and misinformation risks. Fact-checking, discrediting, and counter-disinformation operations have helped the general public recognise and stop distributing false or misleading information.

### **The responsibility of healthcare systems to respond to and address misinformation and Disinformation**

Several strategies with solid scientific backing exist for addressing health misconceptions. Providing evidence-based options is one strategy that might be used in healthcare systems. Individuals often respond positively when a single false belief is corrected by introducing a new, accurate belief. Concerning COVID-19, a reasonable alternative to Disinformation has yet to be discovered. International bodies are also urged by the law act (WHA73.1) to combat false and misleading information within the digital arena, seek to stop harmful cyber actions that undermine the health reaction, and encourage the dissemination of scientific data to the general public. As executives with an assertive bent amass additional powers via emergency measures and tribunals, legislative bodies and other organisations are hindered in exercising their constitutional obligations and respective roles, the COVID-19 pandemic poses a potential threat risk of further eroding restrictions on governmental power. Similarly, social media sites depend on the contributions of civil society groups and fact-verification initiatives, whose work incentivises the platforms to take additional action on this issue. The World Health Organisation (WHO) relies on the cooperation of its member nations to implement and disseminate accurate medical information, which can be gathered only with the cooperation of global organisations of scientists. Because of insufficient

coordination between various tiers of government, the present paradigm is one in which even commendable attempts to combat disinformation and deception fail to yield ideal outcomes.

### **Distinct privacy and technology concerns**

Fake news and its effort to establish a post-truth culture have spread at an alarming rate because of the proliferation of digital media and investigative journalism. Increased misinformation about the COVID-19 outbreak has sparked anti-mask, anti-5G, and anti-vaccine rallies worldwide. To better combat misinformation, legal tech-based acts makes it helpful to reevaluate the function of algorithms. Users are more likely to be led astray by harmful Disinformation while using this technology. Sites for sharing and distributing information online should be more forthcoming about the metrics they employ to determine the relative prominence of various pieces of content, with particular attention paid to the suppression of potentially hazardous materials in favour of more trustworthy ones. While all parties acknowledge that industry players should not serve as arbiters of truth, they are the ones most equipped to solve the underlying technological issues. Defining the law acts of free speech is becoming more complicated as new technology makes it more powerful. Repressing false information, whether by deleting it, drowning it in a sea of silence, rendering it unavailable, or censoring the source, is the most prompt and efficient response to the spread of disinformation. However, legislative safeguards the freedom of free expression, established to avoid repression, which has historically still been built on narrative regarding higher aims, may conflict with these techniques. Through the lawful dissemination of incorrect information and hate discourse on public health, digitalisation has aided in growing social divides and extremism. Disputes and tensions that begin in cyberspace often lead to real-world violence, assaults on vulnerable groups, and even civil war. The concept of "infodemic" brought the issue of content regulation to the forefront by referring to the spread of misinformation concerning a pandemic. Social media and search engine titans Google and Facebook have joined the fight against false news. Google has activated an "SOS warning" for searches related to the Coronavirus epidemic, directing users to recent tweets, WHO advisories, and other helpful resources.

## The availability of tort remedies for misinformation

When handling the information epidemic, the United Kingdom and the WHO-based law acts work together. Misinformation has deadly consequences. According to recent studies, there were roughly 6,000 individuals hospitalised throughout the world in the first three months of 2020 due to false information about the coronavirus. A minimum of 800 persons, according to the study's authors, may have lost their lives over this period owing to erroneous information about COVID-19. When seen in this way, it's hard to see the world and not feel worried. Companies in the social media industry have recently developed legal-based applications with the explicit goal of hooking us. They figured out how to make money from the vast amounts of people's time they had seized. Due to the lack of oversight, they grew into massive, international conglomerates. The World Health Organisation (WHO) and the U.K. government have joined forces to attempt to contain the COVID-19 infodemic by collaborating on several communication activities designed to counter the distribution of misinformation. Since the beginning of the COVID-19 epidemic, which has taken several measures on their own and in collaboration with partners to prevent Disinformation. BBC World's mid-2020 programming slate included "Stop the Spread." It hoped to get the word out about how much inaccurate information there is about COVID-19 and for people to start doing their own fact-checking to reduce the harm and spread of Disinformation. WHO has coined the word "infodemic" to describe the rapid dissemination of information, some of which is true and some not that often coincides with the development of an infectious illness.

## Conclusion

The successful prevention of the COVID-19 outbreak may be hampered by the spread of erroneous data, leading to people making incorrect decisions and skewed beliefs in global health recommendations. Misinformation may be successfully combated via population-specific communication tactics and messages. The influence of healthcare disinformation on public behavioural change has always been strong, but its significance during the COVID-19 epidemic became strikingly

obvious. Some people died due to trusting erroneous information about the cause of the outbreak, the nature of the virus, and possible treatments. The public's apathy about the pandemic may be traced mainly to the widespread dissemination of false information about the virus's prevalence rate, predominance, and pace of propagation. Vaccine apprehension emerged as a concurrent pandemic after the emergency use authorisation of several COVID vaccines revived popular distrust in scientific knowledge and the widespread dissemination of false information. That's why it's more crucial than ever to have trustworthy healthcare news sources and constantly check in on social platforms to ensure that only correct data is being shared with the public. Dispelling such falsehoods needs a concerted effort from several groups, including local municipalities, law protection agencies, social media firms, community groups, and others. This article discusses the difficulties of combating Disinformation in the age of social media, the devastating effects of misinformation on efforts to address public health problems, and the many methods used by governments all over the globe to address this problem.

**Funding:** This research received no external funding.

**Institutional Review Board Statement:** Ethical review and approval was taken from institutional board.

**Conflicts of Interest:** All authors have no conflicts of interest.

## References

1. M. M. F. Caceres, J. P. Sosa, J. A. Lawrence, C. Sestacovschi, A. Tidd-Johnson, M. H. U. I. Rasool, V. K. Gadamidi, S. Ozair, K. Pandav, C. Cuevas-Lou, M. Parrish, I. Rodriguez, and J. P. Fernandez, "The impact of misinformation on the COVID-19 pandemic," *AIMS Public Health*. [cited 2023Feb1]. Available from: <https://www.aimspress.com/article/doi/10.3934/publichealth.2022018>.
2. Gao J, Zheng P, Jia Y, Chen H, Mao Y, Chen S, et al. Mental health problems and social media exposure during COVID-19 outbreak [Internet]. *PLOS ONE*. Public Library of Science; [cited 2023Feb1]. Available from: <https://journals.plos.org/plosone/article?id=10.1371%2Fjournal.pone.0231924>.

3. Fridolin Haag Leibniz Center for Tropical Marine Research (ZMT), Haag F, Leibniz Center for Tropical Marine Research (ZMT), Sara Miñarro Institute of Environmental Science and Technology (ICTA), Miñarro S, Institute of Environmental Science and Technology (ICTA), et al. Which predictive uncertainty to resolve? value of information sensitivity analysis for environmental decision models [Internet]. *Environmental Modelling &amp;*
4. Fake news on Twitter during the 2016 U.S. presidential election [Internet]. [cited 2023Feb1]. Available from: [https://www.researchgate.net/publication/330626092\\_Fake\\_news\\_on\\_Twitter\\_during\\_the\\_2016\\_US\\_presidential\\_election](https://www.researchgate.net/publication/330626092_Fake_news_on_Twitter_during_the_2016_US_presidential_election) Software. 2022 [cited 2023Feb1]. Available from: <https://dl.acm.org/doi/10.1016/j.envsoft.2022.105552>
5. A digital media literacy intervention increases discernment ... - PNAS [Internet]. [cited 2023Feb1]. Available from: <https://www.pnas.org/doi/10.1073/pnas.1920498117>
6. The Health Equity Framework: A science- and Justice-based model for ... [Internet]. [cited 2023Feb1]. Available from: <https://journals.sagepub.com/doi/pdf/10.1177/1524839920950730>
7. D; S-TBL. Public health and online misinformation: Challenges and recommendations [Internet]. *Annual review of public health*. U.S. National Library of Medicine; [cited 2023Feb1]. Available from: <https://pubmed.ncbi.nlm.nih.gov/31874069/>
8. Vision-and-language navigation: A survey of tasks, methods, and future ... [Internet]. [cited 2023Feb1]. Available from: <https://aclanthology.org/2022.acl-long.524.pdf>
9. Countering misinformation: A multidisciplinary approach [Internet]. [cited 2023Feb1]. Available from: [https://www.researchgate.net/profile/Kacper-Gradon/publication/351358468\\_Countering\\_misinformation\\_A\\_multidisciplinary\\_approach/links/6093c155458515d315fcb83e/Countering-misinformation-A-multidisciplinary-approach.pdf?origin=publication\\_detail](https://www.researchgate.net/profile/Kacper-Gradon/publication/351358468_Countering_misinformation_A_multidisciplinary_approach/links/6093c155458515d315fcb83e/Countering-misinformation-A-multidisciplinary-approach.pdf?origin=publication_detail)
10. Francesco V, Francesco Ventura Francesco Ventura <http://orcid.org/0000-0002-1584-2433> CESAM, Ventura F, Francesco Ventura <http://orcid.org/0000-0002-1584-2433> CESAM, Stanworth A, Andrew Stanworth Falklands Conservation, et al. Local-scale impacts of Extreme Events Drive Demographic Asynchrony in neighbouring top predator populations [Internet]. *Biology Letters*. 2023 [cited 2023Feb1]. Available from: <https://royalsocietypublishing.org/doi/10.1098/rsbl.2022.0408>
11. Hussain N;Brull R;Sheehy B;Essandoh MK;Stahl DL;Weaver TE;Abdallah FW; Perineural liposomal bupivacaine is not superior to nonliposomal bupivacaine for peripheral nerve block analgesia [Internet]. *Anesthesiology*. U.S. National Library of Medicine; [cited 2023Feb1]. Available from: <https://pubmed.ncbi.nlm.nih.gov/33372953/>
12. Panigada M;Bottino N;Tagliabue P;Grasselli G;Novembrino C;Chantarangkul V;Pesenti A;Peyvandi F;Tripodi A; Hypercoagulability of COVID-19 patients in Intensive Care Unit: A report of thromboelastography findings and other parameters of hemostasis [Internet]. *Journal of thrombosis and haemostasis : JTH*. U.S. National Library of Medicine; [cited 2023Feb1]. Available from: <https://pubmed.ncbi.nlm.nih.gov/32302438/>
13. Zamir. Rationality and emotions in ultimatum bargaining. *Annales d'Économie et de Statistique*. 2001;(61):1.
14. Author links open overlay panelLaura M.Norm anaPersonEnvelopeRattanLal EllenWohl cEmilyFairfaxdAllen C.GelliseMichael M.Pollockf, M.NormanaPersonEnvelope L, a, RattanLalb, b, EllenWohl c, et al. Natural infrastructure in dryland streams (NIDS) can establish regenerative wetland sinks that reverse desertification and strengthen climate resilience [Internet]. *Science of The Total Environment*. Elsevier; 2022 [cited 2023Feb1]. Available from: <https://www.sciencedirect.com/science/article/pii/S0048969722048379>
15. R J, D B, Waran K. Social media reigned by information or misinformation about COVID-19: A phenomenological study [Internet]. SSRN. 2020 [cited 2023Feb1]. Available from: [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3596058](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3596058)
16. Covid-19 and the Digital Revolution - Tandfonline.com [Internet]. [cited 2023Feb1]. Available from: <https://www.tandfonline.com/doi/pdf/10.1080/21582041.2020.1833234>