

INTERNATIONAL CONFERENCE

FAKE NEWS & ELECTIONS IN ASIA

10-12 July 2019
Bangkok, Thailand



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CONFERENCE PROCEEDINGS

BANGKOK, THAILAND
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PREFACE

Information manipulation has become an issue of growing political and human rights concern. In Asia, fake news has been increasingly used as an instrument to influence public behaviors, polarise societies, exacerbate ethnic conflicts, draw support of religious ideologies, manipulate election results and incite public fear, hatred and violence. In the age of social media, the easy production of user-generated contents, the anonymity of social media accounts, the rapid distribution of online information and the many-to-many communication structure of the Internet made social media platforms breeding grounds of fake news.

According to We Are Social report 2019, 2.2 billion people in East, Southeast and South Asia use the Internet with penetration rates at 60%, 63% and 42%, respectively. Among the Internet users, social media use by those aged 13 or above is 82% in East Asia, 78% in Southeast Asia and 31% in South Asia. Even though internet penetration and social media usage in South Asia is much lower than East and Southeast Asia, it is rising fast making the three regions as host to the largest number of social media users worldwide. With such massive use of social media, fake news has become a significant challenge and is being prioritised as a problem to be solved. Apart from revising or enacting new laws, governments, civil society groups, technology companies and private entities are looking at fact-checking, media literacy programs and algorithm adjustments as possible solutions to fake news. However, these measures to date have largely been seen as ineffective and on many occasions infringing on freedom of expression.

To navigate fake news in Asia and seek sustainable solutions to combating disinformation, Asia Centre, in collaboration with 12 partners, namely Faculty of Communication Arts, Chulalongkorn University; the Thai Media Fund; School of Media, Languages and Cultures, University of Nottingham, Malaysia; NSHM Knowledge Campus-Kolkata; Media Studies and Journalism Department, University of Liberal Arts Bangladesh; The Council of Asian Liberals and Democrats; International Center for Not-for-Profit Law; Law Faculty, University of Jember; International Republican Institute; HIVOS; the Friedrich Naumann Foundation; the Taiwan Foundation for Democracy; as well as individual researchers and interested parties, convened the International Conference on Fake News and Elections in Asia in Bangkok, Thailand on July 10-12, 2019.

In these two days, a total of 13 panels, 46 presenters and over 80 participants discussed historical backgrounds of ethnic, political and religious violence, as well as the current phenomena of digital disinformation in Australia, Bangladesh, Cambodia, Estonia, India, Indonesia, Malaysia, Myanmar, Pakistan, Philippines, Sri Lanka, Singapore, Thailand, United Kingdom and the United States. The discussion highlighted the role and effectiveness of fake news legislation and if it empowers the governments to silence critics and induces media self-censorship. Non-legal measures such as media literacy and fact-checking were also touched upon in the conference.

The papers in the volume examined the phenomenon of fake news and its use and abuse by governments, private entities and social media during general elections, the work of media literacy programme and fact-checking projects and the role of disinformation in religious or ethnic conflicts in the above-mentioned countries. All papers have been subjected to review administered by the Editors. The Editors have taken all reasonable steps to ensure the adequate feedback was given to authors to improve the quality of their papers. Following which the papers are published as received. The authors are responsible for the accuracy of facts, quotations, data, statements and the English language quality of their work. The papers are organised in the order in which they appeared in the Conference Programme.

The Conference on Fake News and Elections was the first in the series of Asia Centre's project entitled 'Freedom of Expression in Asia.' The project aims at assessing the legal restrictions on freedom of expression in Southeast Asia and the wider region. From 2019 to 2022, the project examines developments related to disinformation, fake news, hate speech and propaganda, and the challenges these phenomena pose to academia, civil society, independent media, INGOs and the UN agencies in the region and beyond. A conference on Hate Speech in Asia will be the second conference on 8-10 July 2020, the third will focus on Authoritarian Disinformation and Propaganda in Asia on 14-16 July 2021. The project will culminate with a final conference on Freedom of Expression in Asia on 13-15 July 2022.

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Hate Speech, Disinformation and Political Violence in Myanmar

Draft: Not for Distribution or Citation

Jeremy Liebowitz
International Republican Institute

Abstract

Inter-ethnic and sectarian violence has been a consistent feature of Burma's colonial-era and post-independence politics. Long-standing conflict between the Burmese military and ethnic armed organizations representing the country's ethnic minorities has caused numerous deaths, widespread displacement, and a deep scar on national unity that is unlikely to heal in the short run. Violence across religious lines has also been widespread, with the most recent conflict involving the Rohingya minority in Rakhine State the most dramatic example. Since political liberalization picked up speed in 2012, social media usage has skyrocketed, with increasing access to social media through mobile phones. An array of groups, including both state actors and non-state groups, has increasingly used social media as a channel to spread rumors that promote discrimination and attacks against ethnic and religious minorities. With over 18 million internet users in Burma in 2018, most of them accessing the internet through Facebook, it is likely that social media will continue to be a channel for groups seeking to promote ethnic or religious discrimination and strife.

The rise of social media usage in Burma has, as in many other countries, led to an increase in disinformation, propaganda, and hate speech with serious consequences. This paper argues that coordinated efforts to inflame hatred and anger across ethnic and religious divides in Burma have created a trajectory in which: 1) Increased expression of ethnic and religious discrimination, through disinformation, propaganda, and hate speech on social media have created a fertile ground for ethnic and sectarian violence; 2) Attempts to limit such discriminatory social media content have led to greater constraints on free expression without significantly reducing the discriminatory content; 3) The vacuum of information and public space for discussion resulting from controls on social media has led to an even more fertile ground for further disinformation, propaganda and hate speech. In the 2015 elections, social media-based attacks on ethnic and religious minorities led to politicians distancing themselves from positions that could cause them to be perceived as sympathetic to those minorities, especially religious minorities.

Attempts by government to control the spread of disinformation, propaganda and hate speech over Facebook (the primary channel for social media and internet use in Burma), have met with limited success. The 2013 Telecommunications Act, which prohibits a range of behavior using a telecommunication network, has had more of a chilling effect on public discussion and debate than it has had on inflammatory and discriminatory social media content. The Telecommunications Act continues to be used to punish political dissent and public criticism of the military and government leaders. Facebook has also recently taken several actions to attempt to control the spread of hate speech and disinformation, including shutting down the accounts of key figures responsible for disinformation, with many of those accounts connected to Burma's military, and also shutting down the Facebook pages for four armed ethnic organizations.

Understanding the spread of hate speech, propaganda and disinformation through social media, and the trajectory of government responses to its spread, can provide us with useful analytical tools to counter these harmful practices and reduce the discrimination and violence they provoke.

Introduction

Inter-ethnic and sectarian violence has been a recurring feature of Myanmar's colonial-era and post-independence politics. Long-standing conflict between the Myanmar military and ethnic armed organizations representing the country's ethnic minorities has caused numerous deaths, widespread displacement, and a deep scar on national unity that is unlikely to heal in the short run. Violence across religious lines has also been widespread, with the most recent conflict involving the Rohingya minority in Rakhine State the most dramatic example. Since political liberalization picked up speed in 2012, and telecommunications were deregulated in 2013, social media usage has skyrocketed, with increasing access to social media through mobile phones. An array of groups, including both state actors and non-state groups, has increasingly used social media as a channel to spread rumors that promote discrimination and attacks against ethnic and religious minorities. With over 18 million internet users in Myanmar in 2018, most of them accessing the internet through Facebook on their phones, it is likely that social media will continue to be a channel for groups seeking to promote ethnic or religious discrimination and strife (Callahan, 2019).

The rise of social media usage in Myanmar has, as in many other countries, led to an increase in disinformation, propaganda, and hate speech with serious consequences. This paper argues that coordinated efforts to inflame hatred and anger across ethnic and religious divides in Myanmar have created a trajectory in which: 1) Increased expression of ethnic and religious discrimination, through disinformation, propaganda, and hate speech on social media have created a fertile ground for ethnic and sectarian violence; 2) Attempts by government to limit such discriminatory social media content have led to greater constraints on free expression without significantly reducing the discriminatory content; 3) The vacuum of information and public space for discussion resulting from controls on social media has led to an even more fertile ground for further disinformation, propaganda and hate speech.

Understanding the spread of hate speech, propaganda and disinformation through social media, and the trajectory of government responses to its spread, can provide us with useful analytical tools to make more effective responses to these harmful practices and reduce the discrimination and violence they provoke. The pervasiveness of hate speech, propaganda and disinformation in contemporary global politics is one of the major challenges to democracy at present, and requires attention to insure that it does not precipitate a “downward spiral” in democracy and usher in a new age of “digital authoritarianism” (Freedom House, 2018; 2019).

Countering Hate Speech and Disinformation in Politics and Elections: Global Trends

The rise of hate speech and disinformation fueled by social media has featured in recent elections across a wide range of countries, including the United States, Denmark, India, Kenya, Indonesia, and Sri Lanka. Political elites, hate groups, and foreign governments have all played a role in fostering a divisive and hate-filled campaign period for a range of political ends. In Denmark, fake Islamist propaganda from cloaked Facebook pages led to a rise in anti-immigrant sentiments (Farkas, Schou and Neumayer, 2017), while the success of the anti-immigrant Danish People’s Party pressured leading political parties into more strident anti-immigrant positions in the 2019 elections (Haugbolle, 2019). In India, Hindu nationalist parties capitalized on anti-Muslim and anti-minority hate speech and disinformation on social media to register their most resounding victory (Goel and Rahman, 2019; Goel and Frankel, 2019). Recent Sri Lankan political developments include a rise in anti-Muslim and anti-Christian hate speech and disinformation, as well as hate speech coming from those involved in the April 2019 Easter bombings (Vignaraja, 2019). The recent bombings there and the rise of anti-minority sentiment will likely lead to a change through the ballot box, with ethnonationalist parties likely to increase their influence. In the Kenyan presidential elections of 2017, groups connected with incumbent President Uhuru Kenyatta used extensive disinformation campaigns such as “Uhuru for Us” and “The Real Raila” to connect Kenyatta’s opponent Raila Odinga with the spectre of ethnic violence, discouraging voters from supporting the long-time opposition candidate (Privacy International, 2017).

In recognition of the rise of hate speech and disinformation in elections and its detrimental impact on elections and democracy, governments, civic leaders, the media, and other

concerned groups have attempted to combat these phenomena. Attempts to counter hate speech and disinformation, however, have often failed to reach their goals.

In some cases, hate speech and disinformation have proved difficult to regulate or control, as those promoting hate speech and disinformation on social media have proven adept in avoiding regulations and controls through migration to other social media networks, use of coded language that avoids detection by social media platform algorithms to track hate speech, and developing a range of tactics to promote hate speech and disinformation without violating the standards established by social media platforms (Farkas, Schou and Neumayer, 2019; Alkiviadou, 2019). Likewise, government attempts to block social media at the state level have led to people accessing social media through virtual proxy networks (VPNs), as in the recent case of Sri Lanka, where government blocking of Whatsapp and Facebook merely led to their use through VPNs (Vignaraja, 2019), or in the case of Uganda, where a tax on social media intended to make it more difficult for opposition groups to use instead led to widespread use of VPNs (Daily Monitor, 2018).

In other cases, government attempts to regulate hate speech and disinformation have led to restrictions on the freedom of speech. The Network Enforcement Law in Germany, for example, which requires social media services with over two million members to remove “evidently unlawful content” within 24 hours, has led to the social media companies removing content that was satire (Spencer-Smith, 2018). The Cameroonian government shut down the internet for much of 2018 in response to protests against discrimination by the Anglophone minority in the country (Freedom in the World, 2019).

There is also evidence that government regulation of hate speech and disinformation continues to be extremely partisan in many cases, where government either deliberately engages in partisan attacks on social media, or where regulations are enforced in a way such as to give significant advantages to the incumbent (Privacy International, 2017; Goel and Rahman, 2019).

On the positive side, a less heavy-handed approach seems to have led to modest progress in combating hate speech and disinformation in some instances, such as the European Commission’s Code of Conduct on Countering Illegal Hate Speech Online, under which social media companies pledged to “review the majority of valid notifications for removal of illegal

hate speech in less than 24 hours and remove or disable access to such content, if necessary.” According to the Commission, this has resulted in significant progress in removing hate speech and reviewing reports of hate speech promptly (Spencer-Smith, 2018). Coordinated efforts by the European Commission through its Action Plan against Disinformation and its Elections Package have helped to counteract some of the most dangerous disinformation and hate speech in the recent European Parliament campaigns. These efforts including Google, Facebook, Twitter and Mozilla agreeing to an EU Code of Practice (a voluntary code) and establishing a “rapid alert system” to catch and highlight disinformation in a timely fashion (Polyakova and Fried, 2019; European Commission, 2019).

Social media companies have also engaged in a range of self regulation efforts to counter bad publicity, government pressure, and public demands. Cooperation with government institutions and civil society in recent European Parliament elections demonstrates that such self-regulatory mechanisms can be effective (European Commission, 2019). Cooperation between state bodies and other groups including civil society and technology initiatives, as in 2017 Kenyan elections where there was cooperation between Kenya’s National Cohesion and Integration Commission and various civil society groups focused on hate speech monitoring, has helped to counter hate speech and disinformation (Boti-Phiri, 2017). In the run-up to the 2019 elections in Indonesia, a platform supported by election watchdog the Association for Elections and Democracy, Google Indonesia, the General Elections Commission, and the Elections Supervisory Agency, among other groups, provided a mechanism for users to report hate speech and disinformation (Jakarta Post, 2019).

The Spread of Hate Speech and Disinformation in Myanmar

Political opening in Myanmar was marked by the end of the house arrest of Aung San Suu Kyi in 2010, the participation (and success) of NLD and other opposition parties in the 2012 by elections, political liberalization that allowed for relative media freedom, digital media openness, and a range of other reforms. These reforms opened the door for increasing democratic freedoms, robust public discussions on democracy, and a dramatic, rapid increase in connectivity to the outside world.

With these reforms also came the rapid growth of social media, and in particular Facebook. In 2012, only one percent of the population used the internet; with the deregulation of the telecommunications sector in 2013, the number of Facebook users jumped to over seven million in 2015 and 18 million by 2018. Its rapid spread was hastened by its free provision by mobile service providers and went viral because of its unique ability to offer all services in one package (messages, news, videos, and entertainment) (Reuters, 2018). As the primary method by which users connect, Facebook in Myanmar has an unusual position of serving as the internet, giving it a uniquely dominant position within Myanmar's internet and social media landscape.¹ With an estimated 20 million users at the time of writing, Facebook's rapid growth has made it incredibly influential within a short time (Freedom House, 2018; Lwin and Brown, 2019).

A group of technology experts, analysts, and activists were quick to detect that certain groups began using Facebook to spread disinformation and hate speech as early as 2013 and warned Facebook. In the wake of conflicts between Buddhists and Rohingya Muslims in Rakhine State in 2012, hate speech against Rohingya appeared on Facebook, threatening violence against Rohingya and other Muslims. Other posts attacked aid workers in Rakhine State who were providing assistance to displaced Rohingya, calling them "traitors to the nation" (Reuters, 2018).

Another early incident of social media being employed to incite hatred against minorities was July 2014 violence in Mandalay, in which a false news report that two Muslim teashop owners had raped a Buddhist woman was widely shared on Facebook. This included a post by firebrand monk Wirathu that "[the] Mafia flame [of the Muslims] is spreading... all Burmans must be ready." The day after this post, violence in Mandalay led to two deaths, many injuries, and widespread property damage. Eventually the government blocked access to Facebook in Mandalay, in recognition of the incendiary role it played in the conflict (Callahan, 2019).

In the 2015 elections, social media-based attacks (and offline attacks as well) on ethnic and religious minorities led to politicians distancing themselves from positions that could cause them to be perceived as sympathetic to those minorities, especially religious minorities.² Aung

¹ Viber is also widely used, with a population penetration rate of 35, followed by Facebook with 27 percent penetration rate. Of social media platforms, Facebook is by far the biggest source of news and information.

² Callahan, *Myanmar's 2020 Elections*.

San Suu Kyi and the NLD were depicted on Facebook as pro-Muslim by posts including doctored pictures showing her wearing a Muslim head scarf (Reuters, 2018), and in the 2018 elections these attacks expanded to include Shan Nationalities League for Democracy (Callahan, 2019). Evidence that this strategy was at least partially effective includes the NLD's and USDP's decisions not to field a single Muslim candidate in the 2015 elections. It is worth noting, however, that despite the attacks, the NLD still overwhelmingly won an electoral victory similar to its victory in 1990, indicating that the attacks were not successful enough to undermine NLD's political strength.

On the side of the state, reports have documented a “systematic campaign” by the military using Facebook to attack minorities, especially Myanmar's Muslims, through a series of fake accounts that spread incendiary content through “lurid photos, false news, and inflammatory posts.” The posts also allegedly spread false rumors about Aung San Suu Kyi, trying to undermine her credibility and reputation in the country. The accounts also spread rumors targeting both Buddhist and Muslim groups that both sides were about to carry out attacks against the other. Overall, the effect was to turn Facebook into “a tool for ethnic cleansing,” including inciting the population against the Rohingya (Mozur, 2018). A 2018 UN fact-finding mission report highlighted how Facebook had been a “useful instrument” for promoting hate and violence (UNHRC, 2018). Freedom House has detailed how military and government sources have used propaganda on social media to promote their narrative on the crisis in Rakhine, while disinformation from a range of national and international sources have created further anger and hatred between anti- and pro-Rohingya groups (Freedom House, 2018).

Despite widespread recognition of the dangers of hate speech and disinformation against vulnerable minorities in Myanmar, in August 2018 Reuters discovered at least 1,000 examples of Facebook posts, comments, images and videos attacking Myanmar Muslims or Rohingya still visible on the application. The posts often called for violence against Rohingya or Muslims and described them in obscene or dehumanizing ways (Reuters, 2018).

Government Responses to Hate Speech and Disinformation on Social Media in Myanmar

Attempts by government to control the spread of disinformation, propaganda and hate speech over Facebook have met with limited success. The 2013 Telecommunications Act, which prohibits a range of behavior using a telecommunication network, has had more of a chilling effect on public discussion and debate than it has had on inflammatory and discriminatory social media content. The Telecommunications Act continues to be used to punish political dissent and public criticism of the military and government leaders.³ According to a 2017 report by Free Expression Myanmar, of the 107 cases brought under section 66(d) of the Telecommunications Act, 96 were brought under the NLD, and most of the cases were initiated by government, military, or senior party/business leaders against journalists, human rights activists, and artists for exposing wrongdoing or engaging in public criticism. (Free Expression Myanmar, 2017). This has had the effect, according to Callahan (2019), of causing significant self-censorship among the press and activists, who fear being sued and imprisoned for expressing public criticism of leaders and powerful elites.

Covering controversial topics such as the incitement of hate speech and discrimination against religious minorities has also been threatened by Article 66(d) of the Telecommunications Act, as in the case of the editor of Myanmar Now, who was accused of defamation for sharing an article on his Facebook account. The article argued that monk Wirathu, who praised the killer of Muslim lawyer Ko Ni, a prominent NLD legal adviser, had committed sinful behavior in doing so, and was no longer worthy of his status as a monk. In response, a Mandalay resident and Wirathu supporter filed a defamation case against Swe Win, the editor, in a Mandalay court in 2017. The case, which was still ongoing in January 2019, “underscores the hostility of the environment that Myanmar journalists now operate in.... Less often talked about is the use of the law by ultranationalist monks and their supporters to silence journalists. Few cases illustrate that effort better than Ko Swe Win’s” (Moe Myint, 2019a).

The NLD government, upon coming to power in 2016, also took the crucial step of banning the Ma Ba Tha organization, a Buddhist group that had been instrumental in spreading hate speech and discrimination against religious minorities and particularly against Muslims. The government also took other measures including banning Wirathu, a monk noted for inciting hate

³ Callahan, *Myanmar's 2020 Elections*.

and discrimination during his sermons, for giving sermons for a year. The government steps demonstrated clear intent to tackle sources of hate offline and limit their ability to incite hatred, although a 2016 hate speech bill was shelved and has yet to be introduced in Parliament (Nyi Nyi Kyaw, 2019).

The President's Office also established a Social Media Monitoring Team in 2018 to "protect the interests of the state and the people", but the emphasis of this team seems more to protect the state than the people. It is unclear what the team has done, but overall its impact seems to have been negligible to this point. The government also discussed their intention to prepare a cyber law, but the law has yet to be tabled in Parliament (Nyi Nyi Kyaw, 2019).

While the NLD has made some significant responses offline, with some impact, their responses on-line have been limited. In some cases, this is due to the fact that hate speech and disinformation are emerging from government- or military-controlled accounts. In other cases, it may be that their capacity and political will to do so are limited. In 2014, the previous government had taken steps to report inflammatory content to Facebook in the wake of the Mandalay violence, only to discover that Facebook would remove content specifically highlighted by the Myanmar government, but had no ability themselves to review Burmese-language content (Reuters, 2018). There are other responses that have attempted to limit hate speech and disinformation, however, including those from Facebook itself.

Facebook's Responses to Hate Speech and Disinformation in Myanmar

It is now generally recognized that Facebook was slow to respond to initial reports of its platform being used for hate speech and disinformation. Reuters reported that researchers and journalists were reporting incidents of hate speech to Facebook as early as 2013, including several detailed presentations in 2015 at Facebook headquarters on how Facebook was used as a platform for fomenting hate against Muslims. By 2014, however, Facebook had only one content reviewer who spoke Burmese and was based in Dublin. Facebook slowly added other content reviewers in Dublin and Manila (who later shifted to Malaysia), but fluency in Burmese and the sheer volumes of posts continued to be a problem, according to media reports (Reuters, 2018).

In response, six Myanmar-based advocacy groups wrote an open letter to Mark Zuckerberg in April 2018, complaining about the shortage of moderators and lack of investment in moderation in a Facebook-dependent country like Myanmar where social media has become a major channel for hate speech and disinformation. In the letter, the authors wrote “this case exemplifies the very opposite of effective moderation: it reveals an overreliance on third parties, a lack of a proper mechanism for emergency escalation, a reticence to engage local stakeholders around systemic solutions, and a lack of transparency.” (UNHRC, 2018) As Lwin and Brown (2019) write, even with an increased team of 99 Myanmar reviewers, “these individuals, who screen user-generated content for violations of Facebook’s policies, will not be enough to cover the vast volume of daily posts generated by the country’s nearly 20 million users.”

Under pressure for its inaction on hate speech during the crisis in Rakhine State, Facebook moved to take a number of steps to restrict hate speech and disinformation related to Myanmar on its platform. In August 2018, Facebook took the relatively unprecedented step of removing the account of Commander in Chief Min Aung Hlaing, as well as 52 other military-linked pages and 18 military-linked accounts, which had been linked with anti-Rohingya and anti-Muslim propaganda, and which had over 12 million followers. A range of groups had highlighted the inflammatory posts coming from these accounts as contributing to anti-Rohingya and anti-Muslim sentiment in Myanmar. In October 2018, Facebook removed more Myanmar-military linked accounts, claiming that the accounts were “engaging in coordinated inauthentic behavior on Facebook in Myanmar” (Frontier, 2018). Min Aung Hlaing retreated to the Russian social media site VKontakte, which subsequently also removed his account. Recent reports also indicate that an account linked to the Commander in Chief on Twitter (which is not widely used in Myanmar) was shut down in May 2019 (Moe Myint, 2019b).

By the middle of 2018, Facebook officials claimed that they had “proactively identified 63 percent of the hate speech we removed in Myanmar” and had 99 Myanmar-language speakers reviewing content in several locations. Some observers expressed skepticism, however, over a lack of moderators, and continued moderator errors by moderators who may not be closely familiar with the Myanmar context. Other observers indicated more concerns about Facebook’s ability to combat hate speech and disinformation, indicating Facebook’s reliance on a small

number of reviewers to identify this content, and the small number of reviewers relative to number of Facebook users (Kyaw Ye Lynn and Su Myat Mon, 2018).

There is, however, a clear attempt by Facebook to increase its role in reviewing and removing hate speech and disinformation, and also to recognize that its ability to review content in more languages (especially ones like Myanmar that have complicated issues related to multiple fonts) is essential. Whether Facebook is willing to engage more consistently offline with relevant stakeholders, give enforcement powers to its independent review board, and bring on enough personnel to review and monitor the huge amount of content it generates daily will determine how committed it is to combating hate speech and disinformation (Lwin and Brown, 2019). At this stage, however, it looks like Facebook is more likely to be an effective check on online hate speech and disinformation than the Myanmar government, if they implement some of the recommendations coming from technology activists and social media observers.

In February 2019, Facebook also took the controversial step of eliminating the Facebook pages of ethnic armed organizations linked to four ethnic minorities in Northern Myanmar. Facebook identified the reason for the ban as “There is clear evidence that the organizations we’re banning today have been responsible for attacks against civilians and have engaged in violence in Myanmar, and we want to prevent them from using our services to further inflame tensions on the ground.” (Hammond, 2019). It is unclear what the intention behind the ban was, but anecdotal evidence suggests that the pages were useful sources of news on the peace process and other related topics for some audiences. Eliminating the organizations’ Facebook pages demonstrates the risk of undue restrictions on freedom of speech and the risk of promoting partisan aims even in cases where the mechanism is a self-regulating one.

A Vacuum of Information? Regulating Speech and Limiting Discussion

Although the increasing efforts to limit hate speech and disinformation by Facebook present the possibility that a safer social media space may be on the horizon, in the interim the Myanmar case demonstrates that attempts by government to regulate or control speech have led to constraints on free expression without having a significant impact on reducing hate speech and

disinformation. As the Freedom House report on Freedom on the Net 2018 details, Myanmar internet freedom declined as the country witnessed a decline in the diversity of content, increases in intimidation and violence against journalists, and greater restrictions through the creation of a government social media monitoring team (which is largely targeting activists and foreign media that do not agree with government narratives) (Freedom House, 2018). While press freedom is under threat, violence against ethnic and religious minorities by hate groups continues, as in the case of the recent attack on a mosque in South Dagon, Yangon, where a group of so-called “nationalists” shut down Ramadan prayer meetings at factories and homes (Chan Thar, 2019).

The vacuum of information is partly due to the heavy role of the state, both of the civilian government and the military, in traditional media and their social media affiliates. It is also due to the fact that Myanmar’s particular state actors have at times been at the forefront of promoting hate speech and disinformation, rather than trying to counter it. Another factor is the global nature of hate speech and disinformation, especially on a visible issue like the Rohingya crisis in Rakhine, which makes it very difficult to control social media presence outside the country that may contribute to greater levels of polarization.

Overall, the rise in hate speech and disinformation, combined with government initiatives to regulate it, has led to a situation where there is little opportunity to hold anyone responsible for spreading hate speech and disinformation. Pointing out instances of hate speech and disinformation (or acts of violence against ethnic and religious minorities) can lead to suits and imprisonment on defamation charges, as in the case of Myanmar Now editor Swe Win referred to above, scaring away those who might otherwise seek to hold leaders accountable for these offenses. The arrest and imprisonment of Reuters journalists Wa Lone and Kyaw Soe Oo for violating Myanmar’s Official Secrets Act, after they had documented a massacre of Rohingya villagers by the Myanmar military, also sent a warning to journalists seeking to expose violence against ethnic and religious minorities. As the UN Human Rights Council’s Fact Finding Mission to Myanmar reported, “Violence and human rights violations, including in Kachin, Rakhine and Shan States, are fueled by the silencing of critical voices by the Myanmar

authorities, who at the same time amplify a hateful rhetoric that emboldens perpetrators” (UN HRC, 2018).

At the same time, state-sponsored narratives (from both the military and civilian government) have sought to limit discussions of hate speech and discrimination that contradict official perspectives. This has resulted in a vacuum of information and limited space for constructive discussion of contentious identity issues. It has also meant that Facebook is increasingly being used for partisan political communication, especially by the NLD and its allies (on one side) and the USDP and its allies (on the other) (Nyi Nyi Kyaw, 2019).

The current social media environment in Myanmar, in which partisan political communication is taking an increasingly larger share of the discursive space and in which most participants are reluctant to criticize powerful individuals or groups for fear of defamation suits has led to a lack of forums where constructive discussion of how to counter discrimination and hate speech can take place. The threat of sanctions for defamation and related offenses has also had a dampening effect on public forums where more general policy topics can be discussed critically and constructively. As the Venice Commission has noted, “the application of hate legislation must be measured in order to avoid an outcome where restrictions, which aim at protecting minorities against abuses, extremism, or racism, have the perverse effect of muzzling opposition and dissenting voices, silencing minorities, and reinforcing the dominant ideology and political, social and moral discourse” (Venice Commission, 2008).

This lack of space for constructive discussion has meant that hate speech and discrimination continue to spread throughout social media channels and offline means, often manifesting in incendiary ways that threaten a serious risk of violence. With 2020 elections around the corner, this risk is particularly evident as different parties in the election may seek to use hate speech and disinformation around identity politics to boost political support for their positions. In the recent Indian elections, Hindu nationalists used on-line hate speech and disinformation against Rohingya refugees in West Bengal to bolster Hindu nationalist agendas, leading to threats and attacks on Rohingya refugees (Goel and Rahman, 2019). While the level of

social media use in Myanmar is not yet comparable to that in India, its rapid growth will mean that political actors may increasingly incorporate similar tactics to those used in India.

Countering Hate Speech and Disinformation: Reflections and Recommendations

The challenge of hate speech and disinformation is a global one, but it has clearly impacted countries such as Myanmar more severely. Initiatives to counter hate speech and disinformation effectively will have to involve a range of actors who may have limited experience in working together. For a case like Myanmar, the involvement of the Myanmar government, Facebook, Myanmar-based observer groups, media and social media practitioners, anthropologists and human rights activists, ethnic rights organizations, religious leaders, and political leaders will all be essential for any effective effort to combat or mitigate hate speech and disinformation.

A questionable assumption is that all of the groups identified will have the political will and the resources to combat hate speech and disinformation, which may not always be the case, especially as the elections approach and the temptation to use disinformation and hate speech to boost one's political support rises. Given these partisan dimensions of hate speech and disinformation, and the limited capacity of government institutions to combat hate speech and disinformation, self regulation efforts by Facebook and other social media companies, in cooperation with civil society activists and technology entrepreneurs, may be the most practical and meaningful initiatives for the coming electoral period.

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