

Disinformation, Hate speech and Incitement in Southeast Asia

There has been much friction of late between social media companies and ruling parties in Southeast Asia, with regional media reporting that leaders have been banned for a period of time from using their accounts due to infringements. An example is Hun Sen, current Cambodian Prime Minister, who was banned from Facebook for one month for what Meta ruled as violent threats. The Prime Minister then deleted his Facebook account altogether and moved across to another platform, Telegram.¹ Originally, the post was allowed to remain even though it had been reported as violating Facebook policy, but in a remarkable turnabout Meta's Oversight Board ruled the harm it might cause was more potent than its newsworthiness.² Hun Sen has also stated that using Telegram allows him to post messages in countries such as Russia and China (and others), where Facebook is either banned or encounters governmental restriction.

There have also been concerns over governments, including Indonesia, misusing laws that might halt the spread of hate speech, for undemocratic purposes. As reported in Singapore's *TQC* newspaper, Indonesia has recently used its Electronic and Media law's defamation provisions to arrest human rights defenders who had spoken out against ministerial involvement in mining activity in West Papua.³ In a call for better transparency, regional lawmakers called on governments, civil society and Human Rights Commissions in the region, to monitor social media and to "safeguard the democratic digital ecosystem, including debunking election disinformation and training young voters."⁴ There have also been reports of freedom of speech being curtailed in West Papua as part of Indonesian government incentives to curb the hostilities that have arisen from the independence movement, including restricting posts on social media.

Recommendations

Southeast Asian governments should:

1. Realise the importance of direct fake news, hate speech and danger speech legislation, and implement this legislation in its civil and penal codes.
2. Work to recognise the difficulties associated with Chat GPT or GPT, when combined with deepfake and AI technology.
3. Work with the private sector, including social media sites and internet companies more broadly, to implement a range of generic policy measures across the region, rather than on a state-by-state basis.
4. Work with CSOs and NGOs at large-scale educational programmes for all ages and all users.
5. Learn from and work with the European Union and the European Council, and their partners, to implement measures to curb hate speech and danger speech in Southeast Asia.

¹ Anon., "Facebook Prime Minister' of Cambodia, Hun Sen, Switches to Telegram After Meta Board Orders Suspension," *ABC News*, June 29, 2023, <https://www.abc.net.au/news/2023-06-29/cambodia-prime-minister-hun-sen-facebook-swap-telegram-election/102539208>

² Ibid.

³ Anon., "Southeast Asian Lawmakers Urge Indonesia to Uphold Human Rights Ahead of 2024 Elections," *TQC*, May 31, 2023, <https://www.theonlinecitizen.com/2023/05/31/southeast-asian-lawmakers-urge-indonesia-to-uphold-online-human-rights-ahead-of-2024-elections/>

⁴ Ibid.