

Hate Speech and Incitement in Southeast Asia

Hate speech in the Asia Pacific has increased due to the COVID-19 pandemic, and social media has played a large role in this increase. As outlined in APR2P's last Regional Outlook, the targets of this hate speech are mostly minority groups such as refugee Rohingya, in countries that include Malaysia. Fortunately, this is a problem being successfully addressed by CSOs, governments and social media companies collectively. Due in part to a plethora of educational programmes, reports to government and social media apps, hate speech associated with COVID-19 appears to be lessening, and hateful and blaming rhetoric is less virulent.

More recently, hate speech, disinformation and incitement to violence has been a significant factor in the current Myanmar crisis, with the military junta using a variety of media forms to spread disinformation, nationalism and suspicion. Included are the country's state television stations, and state radio. Yet, most prolifically, disinformation has been spread via social media, with the junta using internet sites to either promote its own agenda, or ensuring that sites are shut down to prevent alternate forms of political rhetoric that undermine its authority. The military have blocked Facebook on a number of occasions, as the site is seen as a "key platform for opposition."¹ Twitter has remained available throughout the turmoil, and the top trending hashtags have been #CivilDisobedienceMovement and #JusticeforMyanmar.² Facebook is currently removing misinformation and disinformation spread by the junta, including their widespread claims of election fraud, and the company has blocked two military general's accounts. The company is also "suspending the ability for Myanmar government agencies to send content removal requests" for content it deems anti-junta.³

Myanmar's junta has also "proposed" a cybersecurity law that, in junta terms, aims to "protect the public and prevent crime", through blocking social media that "cause[s] hatred, destroy[s] unity and tranquility" and spreads "untruthful news or rumours."⁴ The Asia Internet Coalition have since responded, saying the proposed bill "would give unprecedented censorship powers and violate privacy, contravening democratic norms and fundamental rights."⁵ Under the proposed bill, the junta would have access to "a broad range of user data, including the person's name, IP address, phone number, ID card number, and physical address, for up to three years . . ."⁶ According to Human Rights Watch, the proposed bill "would have a devastating impact on freedom of expression and access to information at a time when those rights are more important than ever."⁷ As stated by Article 19, "Many provisions in the draft law are vague and overbroad, in contravention of the principle of legality. If enacted, the draft law would greatly extend the powers of military authorities to restrict and punish online expression."⁸ The proposed law could send a person to jail for up to three years for creating "misinformation" and "disinformation".

Recommendations

All governments should:

1. Recognize the importance of direct hate speech and danger speech legislation, and implement this legislation in its civil and penal codes;
2. Work with the private sector, including social media sites and internet companies more broadly, to implement a range of policy measures across the region, rather than on a state-by-state basis;
3. Continue to ensure public education about COVID-19 to counter hate narratives that use the virus as a reason for refugee deportation;
4. Work with governments and CSOs to oppose the Myanmar junta's proposed cybersecurity law;
5. Work with governments and CSOs to oppose amendments to Myanmar's penal and criminal procedure codes.

¹ Anon. 'Myanmar military blocks Facebook, social media as pressure grows,' *Al Jazeera*, February 5, 2021, <https://www.aljazeera.com/news/2021/2/4/myanmar-military-blocks-facebook-social-media-as-pressure-grows>

² Ibid.

³ Trisha Jalan, 'Facebook Reduces Spread Of Content From At Least Two Myanmar Military Accounts; Stops Taking Content Removal Requests From New Govt.,' *Medianama*, February 12, 2021, <https://www.medianama.com/2021/02/223-facebook-myanmar-military-coup-misinformation/>

⁴ Tostevin, Matthew, 'Myanmar junta's proposed cyber bill alarms Internet giants,' *Reuters*, February 11, 2021, <https://www.reuters.com/article/us-myanmar-politics-internet-idUSKBN2AB0WK>

⁵ Ibid.

⁶ Anon. 'Myanmar: Scrap Sweeping Cybersecurity Bill,' *Human Rights Watch*, February 12, 2021, <https://www.hrw.org/news/2021/02/12/myanmar-scrap-sweeping-cybersecurity-bill>

⁷ Ibid.

⁸ Matthew Bugher, "Myanmar: Scrap Cyber Security Draft Law and Restore Full Internet Connectivity," *Article 19*, February 12, 2021, <https://www.article19.org/resources/myanmar-scrap-cyber-security-draft-law-and-restore-full-internet-connectivity/>