CYBERSPACE AND FREEDOM OF EXPRESSION IN POST-COUP MYANMAR

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<td>Arakan Army</td>
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<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<td>CDM</td>
<td>Civil Disobedience Movement</td>
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<td>COVID-19</td>
<td>Corona Virus Disease 2019</td>
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<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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<td>CSL</td>
<td>Cyber Security Law</td>
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<td>CSO</td>
<td>Civil Society Organization</td>
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<td>FGD</td>
<td>Focus Group Discussion</td>
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<td>FoE</td>
<td>Freedom of Expression</td>
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<td>GBV</td>
<td>Gender-based Violence</td>
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<td>GEN Z</td>
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<td>HR</td>
<td>Human Rights</td>
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<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<td>ICERD</td>
<td>International Convention on the Elimination of All Forms of Racial Discrimination</td>
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<td>ICT</td>
<td>Information and Communication Technology</td>
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<td>INGO</td>
<td>International non-governmental organization</td>
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<td>KII</td>
<td>Key Informant Interview</td>
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<td>LGBTQI</td>
<td>Lesbian, Gay, Bisexual, Transgender, Queer, Intersex</td>
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<td>NDML</td>
<td>Natural Disaster Management Law</td>
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<td>NLD</td>
<td>National League for Democracy</td>
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<td>Observatory of Network Interference</td>
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<td>PCCDL</td>
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<td>PDF</td>
<td>People’s Defense Force</td>
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<td>SAC</td>
<td>State Administration Council</td>
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<td>SEA</td>
<td>Sexual Exploitation and Abuse</td>
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<td>SMS</td>
<td>Short message service</td>
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Myanmar’s democratic transition (2011-2021) saw several reforms that enhanced access to fundamental rights, although Freedom of expression (FoE) remained contingent. During this period, cyberspace emerged as a new avenue for people’s civic and political engagement and created new pathways for citizens to claim the right to FoE. Following the military coup of 1st February 2021, FoE came under attack and new restrictions completely collapsed FoE. This research report presents the findings of study into the characteristics of online FoE in post-coup Myanmar.

FoE also known as freedom of speech – is a principle that supports any individual or community to express their views without fear, enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR). States have a duty to uphold FoE, as duty-bearers, and must also sometimes limit FoE in order to protect other rights, such as the right to security, or the right to freely practice religion.

This obligation on states to balance FoE with other rights and freedoms is challenging, and often controversial. A balance must be struck between protecting FoE on the one hand and protecting people from harm that might be caused if FoE is completely unlimited – for example if that freedom is abused to incite hatred, discrimination, or violence.

Clearly, a major factor affecting how FoE is protected and regulated is the nature of a state’s governance. In authoritarian regimes that rely on propaganda and the suppression of freedoms of thought to achieve their objectives, FoE is suppressed. Another factor is the pace of technological change. New forms of media – most notably the internet and social media – can develop so quickly that regulatory reforms are often slow to catch up. The internet and social media is global in nature, which creates a further challenge for regulators.

In Myanmar, as with anywhere else the internet provides new forms of expression and access to information. Unlike other places, however, the roll out of internet access has happened so rapidly neither state authorities nor society at large has had the same time to adapt as in many other places. In Myanmar, as of January 2021, there were 29 million social media users (53.1% of the total population), which includes a 31.8% increase in users from 2020 (Datareportal, 2021). Facebook reports that up to 27 million people can be reached via advertising on its platform (61% of the total population of Myanmar).

The online space, particularly that of social media, presents a vast world filled with opportunity, risk, benefit, and harm. Alongside civilians, those making full use of these benefits and opportunities include those with the means to leverage the vast reach of digital platforms, including governments, ethnic armed organizations, private companies, religious leaders, INGO’s, medical professionals, media, and celebrities. Society is echoed online, and often the worst in society can be amplified, boosted by algorithms that drive users to contentious or offensive content as a quick way to boost ad revenues. What happens online then reverberates offline.

In Myanmar, the internet has, however brought indisputable benefits. Access to information and resources has bolstered education, active civic participation, creative expression and
entrepreneurship. But it has also enabled the shaping of narratives around conflict according to nationalist sentiments, the sharing of fake news and widescale propaganda, the proliferation of hate speech, misinformation, discrimination, and online abuse. This research attempts to explore the digital culture that is lived and shaped by youth in Myanmar considering the complexities they have had to navigate in Myanmar’s piece of the digital world. We look at the impact of the military coup and ensuing crises that has followed and ask the question: How do moments of political upheaval impact an individual and collective understanding of FoE? And, how does increasing (digital) repression affect the digital practices of a generation of youth, who have grown accustomed to expressing themselves online?

In this study we look beyond statistics and user data online, and more closely at the motivations, rationalizations that are responsible for what manifests online, and in turn, manifest offline. It is through honest discussion protected by anonymity and close observation of online behavior, that we have attempted to gain insight into the thoughts and feelings guiding Generation Z (Gen Z) in the decisions they have been making online. We share what we have found in the hopes that it will lend itself to a better understanding of the people behind the screens and that may be of use when considering what is needed now, moving forward for a free, expressive (not harmful) diverse and tolerant, digital culture moving forward. Key findings from the report include:

- Gen Z, as they are known, have lived through a gradual expansion of democratic freedoms, inding FoE, and have deployed their advantage in this regard to great effect in resisting the coup.

- Young people have often been quick to adopt smart and sophisticated digital security techniques including end-to-end encryption such as is found in Signal or Telegram, or the use of VPN’s and TOR to access the internet. Careful vetting of online interactions are used to protect themselves from informants. New forms of protest and communication online have emerged to get around new surveillance measures introduced by the junta. The internet remains a powerfully important tool for activism and community organizing, including in response to the Corona Virus Disease 2019 (COVID-19) crisis.

- Respondents have a strong sense that FoE entails personal responsibility, and where to draw the line is essential when envisioning a free, expressive (not harmful) diverse and tolerant, digital culture moving forward. In a context where effective regulation is so difficult, respondents to this study see self-deliberation and self-imposed boundaries as the most important area of focus for promoting responsible exercise of FoE.

- This reflection has been informed by young people’s own experiences of venturing into grey areas or violent and discriminatory practice online, motivated by the pursuit of justice. The practice of social punishment targeting individuals has been an outlet for the propagation of discriminatory and harmful practices, such as gender-based discrimination. Yet the participants in this study were self-aware of the problematic nature of such practices. Social punishment as an online practice has since become less prevalent online and users have attributed this to a deeper understanding and empathy towards others and of themselves.

- The repercussions of political crises, prolonged repression, and internet fatigue that youth are experiencing now will cast a long shadow. Youth have expressed feeling tired, lost, de-motivated and even conflicted about their actions and motivations.

Areas for further study include looking at social punishment more deeply. It is clear the internet has amplified such behaviors, but the extent to which it is rooted as a cultural or community practice is less clear.

In order to dismantle the enabling conditions for hate speech, donors should dedicate time and resources towards projects that enable youth to identify the drivers, root causes and means for dissemination of hate speech, taking into account the current context.

- Digital technology should be supported as a means of expression, communication and societal development across geographical, religious, ethnic and ideological divides. Donors should invest in Information and Communication Technology (ICT) initiatives designed for peace and development and that national and international organizations should continue to develop their ICT capacities to meet this potential.

- The need for more digital citizenship programming requires governing authorities and national organizations to focus heavily on the development of digital citizenship programmes in collaboration with youth and designed in a manner that resonates with the current climate and experiences.

- The importance of understanding and exercising free expression in society should be encouraged with healthy debate through online events, campaigns etc as a means to exercise free expression while reflecting on what this means for others.

- Promoting healthy digital practice as a key factor in quality of life requires donors to fund further study and programming designed to explore the concept of digital well-being in Myanmar’s digital landscape.
Following the coup, numerous developments and reports demonstrate the ways FoE can be and is restricted by authorities.

1.1 FREEDOM OF EXPRESSION

FoE also known as freedom of speech – is a principle that supports any individual or community to express their views without fear of reprisal. It is considered a cornerstone of liberal democracy, and as such is enshrined as a fundamental human right under Article 19 of the UDHR. As with any human right, states have a duty to uphold FoE. As duty-bearers they also have a duty to place limited restrictions on FoE, when necessary to protect other rights such as the right to security, the right to freely practice religion.

States, therefore, exercise judgement in how they limit FoE, based on factors such as their history, culture, legal system or exceptional circumstances. This can often result in misuse by States that can unduly restrict FoE. It is commonly understood that the ingredients of a democratic society include tolerance and openness to a variety of opinion and thought, and that this extends not only to ideas and expressions that are considered inoffensive, but also to those that may shock, offend, or disturb. What constitutes harmful forms of expression, therefore, is a key questions states must consider.

One way in which this question has been approached, is to ask whether speech or writings can be considered an incitement to discrimination, hostility or violence against an individual or a group. The process of regulating FoE to strike the correct balance is an ever-evolving process that moves with the ebbs and flows of technological development, and society at large. The latest challenge for national legislature and courts, and international regulatory bodies, is social media.

As happened with earlier technological innovations – such as the advent of writing, or the invention of the printing press and radio communications – the internet and social media provide a new platform for expression, new challenges for regulators, and it is taking time for robust systems of governance to emerge. Furthermore, its global nature means that internet and social media platforms exist in something of a grey area, where ‘responsible’ FoE is difficult to enforce. Furthermore, there is growing evidence that social media platforms themselves are responsible for amplifying the voices of the most harmful and offensive.

In the context of this research, it is important to note the ongoing interplay between states, social media platforms and wider society, and the impact this has on the balance between protection and regulation of FoE.
1.2 PROTECTING FREEDOM OF EXPRESSION IN MYANMAR

Myanmar has acceded to various international agreements that enshrine FoE, although inconsistently and ineffectively translated into national legislation.

Article 19 of the UDHR, to which Myanmar is a signatory, recognizes FoE as a fundamental human right and underscores that everyone is entitled to hold opinions without interference. The UDHR is not legally binding but is the foundational document for a number of treaties and covenants that are. Sadly however, the main covenant that protects FoE – the 1996 International Covenant on Civil and Political Rights (ICCPR), has not been adopted by Myanmar. Article 19-1&2\(^1\) of the ICCPR stresses the significance of FoE as an ‘indispensable condition’ enabling individuals to reach their full potential, emphasizing that FoE enables the entertainment of diverse perspectives and opinions, the foundation of a democratic society.

All three of Myanmar’s previous constitutions, in 1947, 1974 and 2008, all recognize FoE as a fundamental right. For instance, the 2008 Constitution, under Section 354, states:

“Every citizen shall be at liberty in the exercise of the following rights, if not contrary to the laws, enacted for Union security, prevalence of law and order, community peace and tranquility or public order and morality:

b. to express and publish freely their convictions and opinions” (Constitution of the Republic Union of Myanmar, 2008, p. 150)

(Note, however, that the 2008 Constitution is no longer considered current, after its provisions were broken by the military when they unilaterally called a state of emergency after detaining the President.)

Myanmar currently remains a member state of the Association of Southeast Asian Nations (ASEAN). The ASEAN Human Rights Declaration 2012, under Article 23 declares that “Every person has the right to freedom of opinion and expression, including freedom to hold opinions without interference and to seek, receive and impart information, whether orally, in writing or through any other medium of that person’s choice” (ASEAN Human Rights Declaration, 2013, p. 7). However, this declaration is not legally binding, and the voracity with which these commitments were made can be called into question when one considers the track records of some of the regimes ASEAN represent.

1.3 RESTRICTING FREEDOM OF EXPRESSION IN MYANMAR

During its decade under a civilian-military hybrid government (2011-2021), the country saw several reforms that increased access to fundamental rights, although FoE remained contingent and civic space restricted.\(^2\) Furthermore, the pervasiveness of patriarchal and authoritarian norms, a legacy of military rule, as well as the continued dominance of the military within state institutions were, and remain, structural barriers to FoE.

Myanmar’s cyberspace has frequently been subject to internet blockages, disruption and surveillance. Digital space in Myanmar has been under heavy surveillance for a long time, but preceding the coup, the focus was on conflict areas. For instance, the world’s longest enforced internet shutdown in Rakhine lasted over a year in Rakhine State, depriving people of access to information and their FoE. Since the coup, Internet restrictions in Rakhine State have been extended across the country.

A combination of colonial era laws and more recent laws and regulations have frequently been used as a pretense to control dissent and suppress FoE. Many of these laws contain overbroad provisions enabling authorities to be selective and arbitrary in the way they enforce them. Defamation clauses have frequently been used to criminalize legitimate political dissent, targeting individuals and media that criticize the government or the military. These legal instruments include but are not limited to the Telecommunications Law (2013), the Official Secrets Act (1923), the Privacy and Data Protection Law (2017) and the Penal Code (1861).

To the disappointment of civil society and democracy activities across the country, little improvement was evident during the National League for Democracy’s (NLD) tenure. No significant efforts were made to change restrictive laws that are a barrier to FoE (Athan Myanmar, 2020). Additionally, the conciliatory stance of NLD towards military and intolerance to dissent resulted in dilatory reform and in many instances backsliding. Indeed, the NLD’s new Privacy Law created yet a further defamation clause that could be abused to crack down on critics. Cyberspace was subject to over-zealous controls limiting FoE. For example, 2,147 websites accused of contributing to the spread of “fake news” were blocked in March 2020 by the Ministry of Transport and Communications (Telenor, 2020; Article 19, 2020c), swiftly followed by the harassment and arrest of website owners.

The 2019 Myanmar Freedom of Expression Scoreboard report highlighted this lack of progress. For instance, on a ‘digital freedom’ indicator Myanmar scored only 1.4 out of 10. For safety and security Myanmar scored 0 out of 10. The report also pointed to multiple areas where there had been little to no change, as well as some areas where the state had not only failed to

\(^1\) International Covenant on Civil and Political Rights 1966, Article 19 (1) and (2): [https://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf](https://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf)

\(^2\) See for example Athan Myanmar’s Analysis on Freedom of Expression Situation in Four Years under the Current Regime (Athan Myanmar, 2020); paras 71-72 of the report of the UN Independent International Fact-Finding Mission on Myanmar, “Report of the Independent International Fact-Finding Mission on Myanmar” (UNHRC, 2018); and the CIVICUS Monitor with records the following national civic space ratings: Myanmar rated as repressed (CIVICUS, 2019).
reform but also engaged in practices that threaten free expression (PEN Myanmar, 2019). The 2020 report of Athan Myanmar on FoE under the NLD-led government found at least 1,051 individuals affected by 539 civil and criminal cases that threatened FoE (Athan Myanmar, 2020). These charges were targeted at peaceful protesters3, labour organizers, journalists, and artists. Additionally, the actions of authorities often mobilized ultra-nationalist sentiment, resulting in harassment and violence against activists and human rights defenders on social media and in person (UNHRC, 2018).

1.4 FREEDOM OF EXPRESSION AND COVID-19

The civilian-military government also mis-used the COVID-19 pandemic to further limit space for people to exercise FoE. Several measures put in place to contain the spread of the virus also restricted civil rights and civic space. Vague clauses in legislation originally intended to temporarily limit the spread of misinformation, and limit large gatherings, were utilized to suppress dissenters. The Prevention and Control of Communicable Diseases Law (PCCDL) and the Natural Disaster Management Law (NDML) were used as justification to penalize those criticizing the government response.

In this way, FoE in Myanmar was further constrained during the COVID-19 crisis, especially online. For instance, Facebook users have been sued under the NDML for posts about community spread of coronavirus before the first case was confirmed (Amnesty International, 2020); sued under section 68(a) of the Telecommunication law for spreading misinformation (Nay Yaing, 2020); sued under Penal Code Article 124(a)20, banning “speeches, writing, posters” and other forms of speech deemed defamatory for the government, for posting that Aung San Suu Kyi and other government officials were not following their own social distancing guidelines (Zue Zue, 2020).

1.5 FREEDOM OF EXPRESSION AFTER THE COUP

Whilst it might have been repressed before, when the Tatmadaw (Myanmar military) illegally seized power on 1st February 2021, FoE completely collapsed. The military junta, calling itself the State Administration Council (SAC), claimed all executive, judicial and legislative power, citing Constitutional provisions for a State of Emergency. The SAC subsequently announced new restrictions on FoE, utilizing and expanding the legal mechanisms mentioned earlier, with a particular focus on the Internet. Following the coup, Myanmar experienced multiple nationwide internet shutdowns; state-owned mobile service providers and telecommunication regulators were placed under direct military control; bans on social media and VPN usage were announced; seven national independent media outlets were ‘outlawed’; surveillance and scrutiny on protestors and activists was expanded, and violent crackdowns were launched on digital activists and sympathizers.

Attempting to give the appearance of a legitimate government, the SAC announced changes to laws and regulations aimed at curtailing FoE, as well as freedoms of assembly and association. Whilst none of these changes have any legal legitimacy, they included amendments of the Electronic Transactions Law which criminalizes obstructing access to information on digital platforms, particularly that are critical to junta activities. Additionally, amendments of the Penal Code curtail the right to dissent targeting voices that are critical of the military and that support the Civil Disobedience Movement (CDM). The regime also amended the Telecommunications Law to target activists, journalists, artists, poets, writers, politicians, and others who post perceived criticisms of the regime online. The SAC amended sections 121, 124, and 505 (a) of the Penal Code, introducing harsher penalties, such as longer prison sentences, for those who criticize the junta. Similarly, provisions appeared in the Cyber Security Law (CSL) that further threaten FoE. Numerous reporters have gone into hiding or are openly quitting reporting due to the increased surveillance and growing trend of arbitrary detention by security forces.

Whilst the announced changes to the laws noted above provide an indication of the direction of travel the junta is taking Myanmar in, it should be noted that in a climate of general lawlessness, where the judiciary is generally in the pay of the regime, what is written in the laws can seem irrelevant. The authorities will find a way to silence their opponents, with the best fit law to justify their actions being very much an afterthought. Soon after the coup began, “the scale of internet censorship in Myanmar has become quite unprecedented,” wrote Observatory of Network Interference (OONI). OONI’s report confirms that apart from blocks on social media, Wikipedia, and regular internet outages, the regime also blocked COVID-19 sites, denying the right to information that could save lives. The junta went back to its old ways of keeping people in the dark, using a variety of censorship techniques across a variety of networks. OONI concluded an alarming shift in Myanmar’s internet censorship landscape (Xynou, Padmanabhan, Phyu Kyaw, & Filastò, 2021). However, the junta’s attempt to gain absolute control over the internet did not stop at censorship, it is further characterized as growing surveillance, and scrutiny followed by arrests and detention which raise a major human rights concern in the erratic political landscape.

1.6 DIGITAL AND CYBER SPACE IN MYANMAR

Over the past decade, cyberspace in Myanmar has emerged as a new avenue not only for everyday space for people but also for civic and political engagement. This has created new pathways for citizens to exercise their right to FoE, but has also led to new restrictions. For instance, Myanmar’s cyberspace has been subject to internet blockages, disruption, and surveillance.

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According to the DataReportal, Myanmar had 23.65 million internet users as of January 2021—a 12% increase from 2020. Internet penetration in Myanmar is at 43.3%, and the country had 29 million social media users (53.1% of the total population) as of January 2021 (Datareportal, 2021).

With the rise of internet and social media, digital literacy in Myanmar, however, remains low and internet users remain susceptible to hate speech, misinformation, and disinformation (Ridout, et al., 2020). As such, hate speech, misinformation and disinformation are proliferating in Myanmar’s cyberspace. Social media platforms have been widely reported to have amplified false news, rumors, misinformation, and disinformation that have had far-reaching impacts, the amplification of ultra-nationalist sentiment around the time of the Rohingya crisis in Myanmar being one such example. Among others, Facebook is the most widely used social media platform in Myanmar with approximately 28 million users as of January 2021 (NapoleanCat, 2021). Researchers in Myanmar have observed the linkages of the wider reach of Facebook in hate speech and fake news including against Rohingya Muslims (Lee, 2019; Woodring, Kleinberg, Thawnghmung, & Myat The Thitsar, 2020; Nyi Nyi Kyaw, 2019). Facebook in particular has as of yet failed to recognize its responsibility as a publisher and done little to revise the algorithms that promote hateful and offensive posts, over other content.

Young people comprise the majority of the users of social media in Myanmar and tend to be at higher risk as receptors of hate speech, misinformation and disinformation (Ridout, et al., 2020). It has been widely reported that that the Tatmadaw and its allies are running misinformation and hate speech campaigns on social media to manipulate public opinion. Due to the vacuum created by the restrictions on traditional media outlets, rumors and fake news tends to spread swiftly in post-coup Myanmar (Guest, 2021). However, youth in Myanmar have effectively circumvented the state’s control of information and widely disseminated information via various online (and offline) platforms. More importantly, social media has allowed the Civil Disobedience Movement (CDM) to be a nationwide movement, also underscoring the crisis in the international arena. As youth have been at the forefront of the pro-democracy movement, and have thereby played a crucial role in shaping the space for exercising FoE, this report takes a particular interest in youth internet users actively resisting restrictions of FoE, their perceptions on other young internet users fighting for FoE, and how they may have changed over time through this historic moment for Myanmar.

Chapter 1 of this report includes an introduction and provides the overview of the FoE situation in Myanmar. Chapter 2 provides a brief review of exiting literature on FoE. This chapter puts forward different theoretical and practical arguments. Chapter 3 and 4 provide insights on research process and methods and analysis of findings consecutively. Chapter 5 includes the discussion and recommendation sections of the report.
CHAPTER 2: RESEARCH METHODOLOGY

2.1 RESEARCH AIM

This study is aimed at providing an assessment of the status of FoE in post-coup Myanmar. Whilst interested in the experience of all citizens in Myanmar with respect to FoE, the research team chose to narrow the focus first on FoE in cyberspace, and second on youth and women because of their visibility and role at the forefront of pro-democratic resistance. The research question can therefore be articulated as:

How have politically active women and youth experienced FoE since February 2021 in the cyberspace of Myanmar?

Within this primary research question, we are also interested in understanding:

How do moments of political upheaval impact an individual and collective understanding of FoE in cyberspace?

How does increasing (digital) repression affect the digital practices of a generation of youth, who have both grown accustomed to expressing themselves online?

2.2 RESEARCH METHODOLOGY

This report presents a continuation of the general aim of civil society to generate knowledge and learning about civic space during political crisis and acknowledges the critical relationship between the political process and human rights.

The research team was interested in how Myanmar people have experienced FoE since the coup began. Further criteria used to narrow the sample under investigation included those citizens who are active online, and a special interest in youth and women. Due to the various communications restrictions and safety concerns associated with attempting to conduct social research in a context like Myanmar, the team had to be somewhat opportunistic about who we were able to speak to, necessitating a kind of convenience sampling in the sense that the team spoke to those who it was possible to reach, and snowball sampling in that the team took recommendations of possible new respondents throughout.

As well as wishing to draw out a few tangible indicators for FoE and how it is currently experienced in Myanmar, the study also wanted to make space for exploring the meaning of FoE and how it feels to respondents, and to allow issues to emerge through dialogue. This was deemed especially important given the repressive environment, and the time it can take to build trust between researcher and respondent. Research therefore employed a mixed quantitative and qualitative approach. Qualitative data was collected through a series of key informant interviews (KII) and focus group discussions (FGD). A total of six KIIIs and seven
FGDs were conducted over the period of August to October 2021. The KII and FGDs were targeted to include participants with varied backgrounds across 4 main geographical areas: Yangon Region, Mandalay Region, Rakhine State and those currently in hiding or in exile (See Annex I for more detail on the participants and questions).

Our research team conducted KIIs and FGDs with a broad range of stakeholders active in protecting FoE and human rights. This included journalists, artists, civil society members, members of youth led organizations, students and those working within the field of digital literacy. Interview questions explored various aspects of FoE and human rights in post-coup Myanmar and were guided by questions exploring the topics of journalism, art, social media, culture, and communication. The respondents for qualitative study were chosen in part due to their respective backgrounds and contexts, as well as through existing trusted networks. Youth specifically were targeted for the qualitative study because of their predominant role as social media and internet users.

Besides KIIs and FGDs, a survey was conducted to collect quantitative between 18th August - 8th September 2021 targeting youth. The survey questionnaire was distributed via Facebook groups, pages, messenger groups, Telegram channels, and Signal to various youth groups in Yangon, Mandalay and Rakhine states. A total of 92 responded to the survey of which 61% identified as women, 37% as men and 2% as LGBTQI. All participants were youth. The survey questionnaire is available in here - [https://bit.ly/3mXRKSW].

To help focus the research questions and thus inform research design, as well as supplement the primary data, this report conducted a comprehensive literature review that covered reports from various institutions and agencies, academic literature, articles in the media, legislation and rules and regulations.

Therefore, all data gathered was analyzed and triangulated by using multiple sources. The benefit of adopting mixed method research design is that it allows for cross checking and cross referencing of facts using multiple sources, adding rigor and depth in the analysis.

### 2.3 RESEARCH LIMITATIONS

This study was affected by a number of limitations relating to the extremely challenging context for carrying out research in Myanmar currently. Many compromises were made in designing this study, to prioritize the safety and security of the research team and the respondents over the desire for a statistically rigorous set of findings. That said, it has resulted in the project taking a qualitative approach that draws on narratives and dialogue to derive meaning, that has surprised and enlightened the research team in new and interesting ways.

While this study is aimed at providing a descriptive and quantitative assessment of the status of FoE in post-coup Myanmar, its primary focus is on the FoE in cyberspace. While this report attempts to provide a bigger picture of FoE, the narrow focus on cyberspace emphasizes the experiences of those respondents who can use the internet and social media. To explore the experiences of non-internet users in Myanmar is beyond the scope of this study. While this study explores the legal aspect of FoE, it focuses more on capturing the experiences of youth and women in post-coup Myanmar.

Narrowing our sample of respondents required a combination of convenience and snowball sampling that has limited the extent to which our sample represents an accurate cross-section of individuals in terms of interests and/or demographics.

It should also be noted that our decision to focus on activists, media and others involved in the resistance against the junta, means that any findings should be viewed with this in mind. This group is clearly likely to be more informed about issues relating to FoE and democracy and it should not necessarily be assumed that their views would be replicated in wider society.

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4 A total of 34 respondents participated in seven FGDs (FGD 1: 4, FGD2: 4, FGD3: 8, FGD4: 8, FGD5: 4, FGD 6: 3, FGD 7: 3)
CHAPTER 3: LITERATURE REVIEW

It is assumed that the existence of cyberspace poses a threat to authoritarian regimes. However, scholarship has provided little evidence for this. Many scholars argue that authoritarian regimes treat cyberspace with suspicion and act to repress it, particularly and predictably targeting political and social mobilization against their own aims (Lynch, 2011; Ruijgrok, 2016; Benkler, 2006; Greitens, 2013). The space that the internet provides for opposition to authoritarianism to grow, needs to therefore be balanced against the tools available to such regimes to shut down this space, and also the ways in which such regimes can use the internet to promote their own selective view of the world.

In a democratic society, FoE opens avenues for free discussion of issues and plays an important role in the shaping of public opinion on social, political, and economic matters. The internet has evolved into a public sphere as a platform for free expression, albeit heavily controlled by the algorithms of social media platforms, which curate the content for each of us to maximize advertising revenue. Nonetheless, social media has undoubtedly extended the possibilities available to citizens to monitor and respond to government action and public policies (Momen, Myth and Reality of Freedom of Expression on the Internet, 2019).

Underscoring the duality of FoE both as an individual and a collective culture, Balikn (2004) portrays digital technologies as a participatory feature of FoE and argues that the development in technology, including the internet, promotes a culture of democracy and nurtures FoE with additional traits such as interactivity, appropriative mass participation, non-exclusivity and creative transformation. Balkin elaborates that it is due to the high volume of distribution and transmission among diverse segments of society that expression becomes democratized.

FoE in cyberspace is interactive and provides everyone (among internet users) with almost equal opportunities to express themselves, the notion of equal opportunities is a false portrayal because several factors including access to internet, digital literacy, and self-censorship perpetuates inequalities – not to mention the afore-mentioned tendency of social media platforms to amplify contentious interactions – because they generate more clicks and thus more revenue.

Cyberspace serves as an instigator for media plurality due to the availability of multiple platforms and accessibility to media content. This does, however, need to be balanced against the threat the internet has posed to traditional media outlets, and particularly revenue-generating opportunities for long-form content creation such as investigative journalism – not that consumer expectations are often for free content. Nonetheless, greater media plurality ensures widespread dissemination of diverse opinions and information and supports the effective functioning of a democratic society. The dramatic increase in media platforms since 2012 has
further diversified media content and attracted diverse opinions and expressions (Stremlau, Gagliardone, & Price, 2018). This is not to claim that greater collaboration and cooperation under authoritarian regime was not possible in a pre-internet era, however, with state control over mass media, it was extremely difficult. The internet also provides real-time information and internet users are not just passive recipients of information (Ruijgrok, 2016). The rise of the CDM in Myanmar is a classic example of how internet users can translate ideas from an online space into action.

Shrinky (2011) endorses the view that assumes that political changes are not possible without the dissemination and adoption of ideas and opinions in the public sphere. As the internet itself is becoming a larger public sphere for exercising FoE, and social media has increasingly been used as a tool for political movements across the world, authoritarian regimes and even democratic governments\(^5\) are limiting access to these platforms, and even countering with pro-regime content of their own. With the growing internet penetration, FoE in cyberspace has also come under threat. Ruijgrok (2016) argues that authoritarian regimes when challenged, actively and strategically engage to prevent the internet from facilitating dissent. The same technological advances and platforms are being used by regimes to suppress FoE. That includes “just-in-time” blockings which are typically scheduled before important political events (Deibert, 2015), monitoring populations and effectively targeting leaders of oppositional groups with both digital and non-digital attacks. According to Morozov (2011), through the deployment of modern technologies, activism is closely monitored and suppressed. For instance, in digital authoritarianism, exports of technologies including surveillance software and hardware via private companies has been prevalent in enabling the capacity of regimes to exercise censorship and surveillance in both civilian and military spaces. Through propaganda, regimes attempt to influence public opinion on the internet and justify the legitimacy of the regime and discredit the opposition (Greitens, 2013). For Tkacheva, et al. (2013) styles of repression via the internet varies across non-democratic leadership, and can be categorized along institutional, ideological and pluralistic features.

Puddephat (2011) states that where restrictions upon FoE are deemed necessary, the scope of such restrictions have been carefully defined in international human rights laws that include issues such as defamation, incitement to violence and hate speech. Digital communications also attract new forms of censorship and new questions of jurisdiction (through new legislation). Internet shutdown and social media bans, particularly in authoritarian regimes are some of the more common approaches to undermine political and social movements. Online surveillance also acts to restrict FoE and online activities followed by arrests of activists, human rights defenders, and journalists (Momen, 2019).

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5 All governments, whether authoritarian or democratic, are incentivized to control the public narrative when in power – to push on with implementing their own agenda. However, in democratic governments, freedoms such as expression, assembly and association are more likely to be enshrined in laws and constitutions and checks and balances on executive power serve to limit the action of executive power. Authoritarian regimes face fewer such barriers.
While certain restrictions of FoE in cyberspace can and do violate fundamental human rights, the efficacy of such restrictions is questionable. Based on historical analysis Ruijgrok (2016) argues that authoritarian repression on internet realistically doesn’t succeed due to ever-increasing access to the internet and well-coordinated protest activity. MacKinnon’s (2010) ‘networked authoritarianism’ seeks to maintain power and legitimacy in the digitalized world through authoritarian rule, and he argues that the internet has provided people with multiple options to engage in public debates and dialogue despite being under an authoritarian regime with near-to-total control of cyberspace. The use of VPNs, fake profiles, burner phones and alternate sim cards, encrypted messaging apps used by CDM protesters in Myanmar to maintain anonymity and safety are few such examples. Benkler (2006) argues that in a digitalized world, it is increasingly harder for governments to suppress the aspirations of people for democracy and democratic practices. This is particularly true when there is broader access to internet, greater participation and multiple platforms are available for interaction. This, however, doesn’t discount the risk of persecution since rights are inadequately protected under authoritarian rule.

Authoritarian regimes have historically exercised a ‘state control of the Internet’ approach as an element of a state’s right to self-governance. Drawing evidence from elsewhere, Kalathil and Boas (2001) underscore that the legacy of authoritarian control is also reflected within internet control and FoE. While democratic governments may struggle to impose effective regulation on internet, authoritarian regimes often dominate the internet and FoE in cyberspace from the beginning and shape its growth and diffusion. For Kalathil and Boas, contrary to Ruijgrok’s view, the question of whether authoritarian regimes can exert control over the internet and FoE is irrelevant.

Scholars have examined the dual phenomena of online repression and self-censorship under authoritarian rule where there is less or no protection for FoE. The repressive attitude of authoritarian regimes towards FoE in cyberspace has resulted in online self-censorship and in such context, the target of state-controlled online repression encourages self-censorship among anti-regime critics (Bhasin & Gandhi, 2013). This is further leveraged by the regime to enhance political legitimacy. This trend is equally true in democratic society among populist leaders (Gandhi, 2018). Ong (2019) argues that due to this culture of silence, activists, politically engaged citizens, journalists, and people tend to avoid expressing opinions and political preferences on social media. Ong further elaborates that self-censorship is exercised when and if the expected pay-off for expressing one’s opinion online is negative. State-sponsored online repression leading towards self-censorship can pose a risk of democratic backsliding.

Since the introduction of the internet in Myanmar, the regime has maintained strict control over personal access. While this was relaxed during the democratic reform era, since 1st February 2021, the country has witnessed strict and at times total control over internet usage. The widespread use of the internet according to Kalanthil and Taylor (2003) is not an urgent threat to political power. While this may have been true in the pre-coup Myanmar, after the coup the internet and its role in facilitating collaboration and cooperation among anti-coup movements can be said to pose a direct and significant threat to the regime.

In understanding how misinformation, disinformation⁶ and hate speech function, several factors are worth pointing out. Particularly during the time of crisis, when established sources and institutions lose or are restricted in their ability to fully ensure credibility, citizens struggle to distinguish if the news is false and can become victims of propaganda (Morgan, 2018). McDermott (2019) relates disinformation to individuals’ psychological tendency toward particular issues, who rely on common sense and intuition that guides their perception of what is correct information, further influenced by repeated circulation within their networks. Due to Myanmar’s long history of authoritarian rule, people are more susceptible to disinformation and rumors play a big role in Myanmar’s socio-political domain (Tosa, 2005).

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⁶ Misinformation refers to the false information but not with the intention of causing harm. Disinformation is a false information that is created deliberately to cause harm to targeted individuals or groups.
Gaining a better understanding of how respondents define and re-define FoE throughout various circumstances has been central throughout this research. By focusing not only on the developments that have taken place in the digital world in which youth engage, but also on the reasoning and rationale behind their participation online, the findings reflect an evolving, and at times even contradictory perception by youth.

4.1 UNDERSTANDING OF FOE AMONG YOUTH

“Only when the right to express themselves are held, there will be a society that is free and fair. Without this – society will always be unfair. It’s a fundamental right” (KII_02)

The study found that youth in Myanmar have a solid and coherent understanding of FoE. While some described it as a basic human right, others expressed that censoring FoE represents a denial of human rights. Furthermore, respondents considered FoE to be absolute and inalienable. Many also reflected that while exercising FoE, one should not infringe upon the rights of others and needs to be careful.

“I think that it is linked to human rights, and as a human we need to have the freedom to speak, disagree, express, it is just exercising our rights as a human. Depending on the content of your speech, it should not harm others.” (FGD_04)

Several factors have played a role in shaping this understanding. A decade (2011-2021) of nascent democratic practice; several democratic reforms during this period; vibrant growth of civil society and youth activism and collective action, are among them.

In the survey, more than two thirds (70%) of the respondents felt that prior to the February 2021 military coup, people had the right to express themselves freely. Considering that internet freedom in Myanmar declined dramatically in 2020 (Freedom House, 2021), this may point to a certain degree of idealization by survey participants of the situation prior to the coup. Further discussion, however, with focus group participants and interviewees - which included journalists and artists - demonstrated a less favorable perception of FoE pre-coup. Many referred to topics that were ‘off limits’ pre-coup, including the Rohingya crisis and religion.

“It [FoE] has always been restricted […] Before the coup we couldn’t talk about the Rakhine issue, before that we couldn’t talk about the military. After the coup, it’s severely restricted.” (FGD_07) (Male).
This is mainly because in pre-coup Myanmar, civic space was already shrinking, and intolerance towards FoE was growing, particularly towards media. All participants, however, agreed that things had 'changed significantly' and that while it may not have been entirely free before, now it is worse, coupled with raids and violence as a result of online activity. Online activities now can attract raids in houses, detention, maiming and even killing. (FGD_05) (Female) (FGD_07) (Male)

Participants from Rakhine state repeatedly pointed to internet shutdowns in Rakhine state - the longest government-enforced internet shutdowns in the world (Human Rights Watch, 2020) – as a key factor in limiting FoE since 2019. In Rakhine, restriction in FoE is also associated with religion and ethnicity (FGD_05).

In a post-coup Myanmar, a vast majority of the respondents (90%) felt that FoE was at an all-time low, while 83% also expressed that they feel free to express themselves online. One possible explanation for this is the extent to which respondents also pointed out that they had made personal digital security changes following the coup: 73%. This was further confirmed in FGDs as participants discussed their use of applications such as Signal and Telegram, or the use of paid VPN’s when accessing the internet. Adapting to increased restrictions through digital security measures online may have enabled respondents to continue to express themselves.

4.2 DIGITAL REPRESSION: SAC INTERNET CONTROL

In the first few hours following the military coup, the first of many internet shutdowns occurred countrywide, followed by the subsequent blocking of Facebook, Twitter and Instagram by the Ministry of Transport and Communication. To date, these websites remain accessible only using a VPN (Frontier Myanmar, 2021). Telecommunications providers have been repeatedly instructed by the junta to suspend mobile internet and Wi-Fi services. Internet access is limited, unstable and unsafe.

Myanmar’s SAC has also dictated key revisions of existing laws aimed at restricting mobilization and momentum of online resistance which is a direct violation of the right to privacy and allow for arbitrary arrests and detention. When asked what they considered the biggest threat to FoE, the most common response by research participants was that of government control—this refers to the surveillance and punishment by the SAC which has claimed all legislative, executive, and judicial authority. A strong sense of insecurity as a result of SAC oppression also exists among respondents.

“The biggest threat is getting arrested, nothing other than that.” (FGD_06) (Male)
4.2.1 Self-censorship

Stop and search has become commonplace, with both police and military personnel setting up ad hoc ‘checkpoints’ across the country anywhere from streets to shopping centers. Raids are also regularly conducted, during which electronic devices are searched, seized and at times confiscated. If anything is found that indicates support for protests or the CDM, arrests are made, effectively signaling to others that their personal devices are no longer personal and that what they save, what they share and what they say online can and will be used against them.

“Most of my friends are getting caught because they protested in the last months and were caught on the street randomly because they hadn’t deleted things on their phones.” (FGD_05)

With the fear of arrest, youth have turned to self-censorship, regularly deleting any incriminating photos or messages, and in some cases limiting their expression altogether. A respondent expressed that currently, keeping a low profile is a safety measure which is more important than expressing one’s own beliefs. (KII_02) Another way to mitigate risks has been to express views under guise, and youth often set up alternate social media accounts that they carry on their ‘outside phones’, second devices purchased following the coup that would keep ‘clean’ and take outside.

“You can’t tell soldiers you don’t have Facebook, so I just made a second account. Now I just take my phone out without battery, so they can’t switch it on. Or I use an old phone that doesn’t work properly I usually uninstall Instagram or twitter, but Facebook I keep so its believable, it’s the main social media they will check.” (FGD_06)

4.2.2 Rakhine State

Respondents living in Rakhine state (various locations) shared a slightly different experience, however. Citing that in areas under the control of the Arakan Army - believed to be over three quarters of the state (Myanmar Now, 2021) - things remain to an extent, unchanged, though increased attention, and tension within communities about who is posting what online has been noted. Respondents also included various accounts of digital repression prior to the military coup with regards to the internet shutdown. All participants expressed a strong correlation between lack of internet and loss of FoE. In addition to the effects of the internet shutdown, participants also relayed experiences of repression linked to protest activity and talking about politics online.

“In 2019, I expressed my feelings and thoughts regarding Human Rights abuses of people in Rakhine state, and I posted them online on Facebook. Between 2019-2020, three military soldiers came to our village, and they interrogated me and since then I feel that my Facebook is being monitored and watched. After the coup, when the military started arresting people that were outspoken about the coup, my name was on the top of the list” (FGD_03) (Female)

Participants expressed a heightened sense of fear of being ‘cut off’ from connectivity (internet), ‘left behind’ and denied of information.

“We don’t know if the internet will be shut down tomorrow or the day after tomorrow [....] when they shut down the internet, we can’t do anything, and we don’t have anything anymore. We have lost those rights in the past, [....] we may lose those rights again because of the situation going on. [....] I don’t feel like a human anymore. When communication is shut down, we cannot access information from other places, or updates on the law, and we will be left behind.” (FGD_03) (Male)

This heightened sense of fear, while peculiar to the people of Rakhine due to the years of repression, militarization and internet blockade, is currently widely shared across all states and regions in Myanmar.

In this time of political crisis, the internet has become a symbol of resistance in Myanmar and people are also taking their resistance online via the internet. More importantly, the Internet has been instrumental in decentralizing and mobilizing the protest across the country. The continuous targeting of the internet by SAC means people might be deprived of the very tool they rely on to demand the restoration of democracy.

4.2.3 Information and communications technology infrastructure and systems (ICT)

In the years preceding the coup, the military maintained significant control over government spending, particularly in the purview of security, defense, and law enforcement. They enabled the purchase of advanced ‘dual-use’ surveillance technologies as part of a modernization of law enforcement agencies. Review of government budgets allegedly display tens of millions of dollars earmarked for technologies that can mine phones and computers, recover deleted data, track live locations, and listen in on conversations. These ‘digital weapons’ are being used to track opponents of the coup (Beech, 2021). In the months preceding the coup, Myanmar’s telecommunications and internet service providers were ordered to install intercept spyware, that would enable the listening in
of calls, intercepting text messages and web traffic emails and the tracking of user locations without the assistance of providers (Potkin, After pressuring telecom firms, Myanmar’s junta bans executives from leaving, 2021). Documentation for post-coup arrest warrants have been said to demonstrate triangulation between social media users that have been critical of the military, and the individual addresses of their internet connections to find their location. This has been attributed to the use of specialized foreign technology (Beech, 2021).

“After the coup I feel really insecure especially because of the junta and the technology behind them” (FGD_06)

Perceptions of digital repression include an understanding that there is significant technological capacity behind the military and that ‘if they want to, they can get your information no matter what you do’. This has further installed a greater sense of insecurity among netizens which further perpetuates self-censorship and a culture of silence. For instance, many journalists and human rights defenders are in hiding and are reluctant to operate remotely due to increasing digital insecurity.

4.2.4 Law(lessness)

“Even though FoE was not fully exercised in the past, we could still express our feelings or thoughts. There were some laws like 66D (Telecommunication Law), but compared to now, we could express ourselves and at the same time rely on the law. Right now, that is not the case anymore. They can just arrest us anytime they want, if they don’t like me, they can use whatever law to arrest me.” (FGD_02)

Respondents expressed a keen desire for lawful redress, and a preoccupation with what was identified as a lack of legal recourse experienced following the coup. A majority of survey respondents also expressed knowledge of one or more laws concerning their FoE. A perceived indiscriminate targeting of youth for a range of activities can be indicated as a key factor in both heightening the desire for legal recourse and diminishing of faith in the existing laws and their implementation. Participants also shared experiences of the law being used unfavorably against them by other civilians. 80% of survey participants expressed familiarity with Section 505(a) of the Penal Code, which in effect has been used to criminalize any comments related to the illegitimacy of the coup, or the military government and has been used since the start of the coup to detain and arrest young people. Violation of Section 505(a) is punishable by up to three years in prison (Human Rights Watch, 2021).

4.2.5 Social Media Surveillance

There are over 29 million active social media users in Myanmar (Datareportal, 2021), a large proportion of whom access the internet through their smartphones and spend most of their time on social media platforms. Facebook data reports that up to 27 million users can be reached through advertising on their platform, and recent statistics indicate an increase of activity on platforms such as Twitter and Instagram following the coup. Social media has been and is increasingly being used as a tool for control.

The article ‘Pretending to be States: The Use of Facebook by Armed Groups in Myanmar’ by Stein Tønnesson, Min Zaw Oo & Ne Lynn Aung (2021) identified three stages in the use of Facebook by armed groups and the military in Myanmar in recent years: The freewheeling phase (2012–2015), when young activists, students, soldiers and guerrilla fighters discovered the new media’s potential for disseminating views and emotions. The manipulative phase (2015–2017), when the Tatmadaw, several armed groups and political activists realized Facebook’s potential and invested in propaganda through official and unofficial accounts, and a more restrictive phase (2017–2021), where Facebook was exposed to criticism and responded by building capacity to remove undesirable content” (Tønnesson, Min Zaw Oo, & Ne Lynn Aung, 2021). Today, soldiers are being tasked with conducting ‘information combat’, using their personal profiles on various platforms including Facebook, Twitter, TikTok, and Telegram to discredit the previous NLD government with claims of election fraud and to denounce anti-coup protestors as traitors (Potkin & Lone, 2021).

While research respondents expressed concern over fake news, misinformation and propaganda on Facebook, they also demonstrated a keen eye for identifying fake news and propaganda for what it is and demonstrated a level of control in managing this (reporting it on Facebook).

An even bigger cause for concern now is the explicit link between social media activity and the consequences offline, which participants described as arrests, detention, harming their loved ones, torture and death.

“When things like that happen, you second guess ‘should I post this or not?’ On Facebook, you’re supposed to have this
freedom from fear but too many people are being arrested or detained for just speaking out - it's a very risky situation, so I found that I've posted less and deleted some of my posts, I know that a lot of people have done the same.” (FGD_05) (Female)

Focus group respondents from Rakhine State have reported instances of having local authority representatives showing up at their houses asking them to take down particular online posts. Participants have also reported receiving messages on various devices based on their social media activity, or being tracked down at their locations, at times, within 1-2 days of online activity. Messages received have included various forms of harassment, and direct threats.

“Lately there has been a lot of call for charity online and at first most of them were reliable, but recently things are very different, and military tend to pretend that they are part of the charity group.” (FGD_05)

Participants identified a less direct way in which they are being targeting, using fake identities.

“They will contact you and try to get the information from you, they even try to get money from you. They will try to get your attention by sharing what you are posting. Some informers try to pretend they are donating to refugees or the revolution and try to get you...”

Figure 3: Social media use across several platforms between September 2020 and September 2021. A significant dip in Facebook use was seen following crackdown and arrests of protestors and those posting anti-coup content online. Source: StatCounter.com
A recent article featured on Reuters.com has identified the central coordinating unit for social media surveillance as the military’s Public Relations and Information Production Unit in Naypyidaw, also known as Ka Ka Com. The unit is said to coordinate a large number of smaller social media teams throughout the country that sift through and extract information on people who “should be arrested or subject to on-the-ground surveillance” (Potkin & Lone, 2021).

### 4.2.6 Dalan (Informer)

A common fear among participants was the awareness of and fear of informants and a mistrust of online accounts pretending to be someone they are not for this purpose.

“It is very complicated because of informers called ‘dalan’. If you post something they will automatically know, they really like to report to the military. It is always dangerous.” (FGD_05)

Participants expressed a feeling that informants are ‘always there’ yet not always visible, and that their reporting has direct consequences on the lives of civilians.

“I live in a place where nothing is safe, and three days ago, three people got killed because the military got information from the informers. Informers are the issue, they are helping the military, and putting everyone in danger in their everyday lives.” (FGD_05) (Female)

This is further complicated by the widespread use of fake names, images and multiple social media accounts being created online for safety purposes. Finding out who someone really is online, has become far more difficult, as even if they can verify an account or number as belonging to somebody they know and trust, these can be compromised at any moment.

This image claims that military staff are tracking those showing support for the NUG online. Source: A screenshot posted on Historically Important Photos Storage | Facebook

This media post claims that the SAC has instructed all government staff to create two new Facebook accounts per department with the purpose of disseminating anti-NUG content, as well as to share military propaganda content from a designated military Facebook page. Source: Than Lwin Times | Facebook

“(for youth) using multiple accounts before the coup was a strategy to make the internet more anonymous for themselves. A way to separate your interests and still interact with people and not having everyone in your life see the...
exact same things. After the coup, I don’t know who anyone is, most people have anonymous photos.” (KII_01)

There is an added fear of deception, where informers not only report on existing activity, but go further in embellishing and Informers can make stories about why someone is posting something sensitive.

Respondents described close control over their followers and who is able to see what on which account, many citing the Instagram ‘close friends only’ option for story visibility and thoroughly vetting new friend requests on Facebook;

“Mostly I look at their profile, who they are, are they fake accounts? Why are they following me? Do we have mutual followers? If there are people, I trust that they are mutual friends and from within a circle. If it’s a fake account or it looks like someone has made this account to steal your information or get you into trouble, then I decline that follow request.” (FGD_05)

Young people have also taken to denouncing and calling out informers on social media in response, which some participants believe has been an effective countermeasure.

What is clear is that young people play a crucial role on social media, responding and adapting to the increasing restrictions and consequences they have been facing since the military coup;

“I’m in my 20’s so I have to be very aware, more than any other age group. There are informer people in every street and city, because they think young people are very dangerous, and they inform the military just because we are young.” (FGD_05) (Male)

“I think that people are very anxious because everything can be traced and affect others, so we are living in constant anxiety.” (FGD_06)

4.3 POST-COUP DIGITAL CULTURE

In the months following the military coup, Myanmar’s youth have presented a formidable challenge to the power of the SAC; the resilience and creativity of youth both offline and online has made use of any resources that were available to develop a thriving anti-coup digital culture which engenders community, documenting abuses and developing new protest and mobilization tactics (Loong, 2021). While civilian youth may not be matched in military might, the digital space has presented a more opportune playing field in which resistance can be exercised. In the early days of the coup, this was focused on livestreaming protests, sharing video documentation and vital information and harnessing momentum and solidarity. Later, this evolved into more elaborate coordination, such as mapping in real-time military and police movements. Today, it involves fundraising for the CDM and the PDF.

Given that 87% of respondents expressed concern over digital security and 90% considered FoE to be at an all-time low following the coup, it is of note that 83% of respondents expressed that they feel free to express themselves online. A correlation can be made between the digital safety precautions participants had made, and the impact of this on how free they feel. While it was identified that the extent to which digital safety changes were made remains inconsistent, at times superficial and unreliable, there has been a significant ability to circumvent repression and use the digital space despite this.

4.3.1 Digital Safety & Security Practices

The majority of participants expressed the same ‘biggest fear’: being hacked and having their private conversations and activity used to harm them or their loved ones, and being hacked and having their identities stolen, to commit fraudulent activities, including blackmail. A FGD respondent for instance, expressed;

“Using my identity and doing things that they are not supposed to do this will harm me and my family. Also, for my online bank account. One of my friends, her account was hacked, and that hacker used her name to commit fraud and manipulated others with money.” (FGD_02) (Female)

Money fraud in particular was highlighted by a large number of respondents. The growing trend of money fraud is a result of increasing challenges in recent months in obtaining money from banks, having to pay for medical costs (COVID-19) and increasingly urgent requests for money from friends in need. More importantly, a huge population of Myanmar are already experiencing economic shocks. Since the coup and exacerbated by COVID-19 crisis the country continues to experience economic turmoil. The World Bank estimates that this year Myanmar’s economy will contract by 18%, with up to 1 million jobs at risk, and half of the population of Myanmar will be pushed below the poverty line (The World Bank, 2021).

Through further discussion with research participants, it was identified that while all of them had made some changes in their digital safety and security practices since February 2021, the extent of these changes was at the time minimal, involving only the use of VPNs
4.3.2 Access to Information

To date, 11 media houses have been either charged under Section 505 (a) of Myanmar's penal code, had their licenses revoked, or both (Reporting ASEAN, 2021). Reporters who continue to report for these outlets risk especially severe punishments if discovered by authorities. The use of Article 505(a) (in its broadened scope since the coup) has in effect criminalized independent journalism, arresting, and charging journalists, restricting access for international reporters, and driving journalists into hiding, or exile. Within a few months of the February military coup, the country has become one of the world's worst jailers of journalists (Committee to Protect Journalists, 2021).

“One everything has changed since the coup. Starting from covering the news, we're not able to cover and report on the ground, journalists have been arrested and jailed while working on the ground. Mostly we were working from home, somewhere in hiding, some of us fled the country and ran to a safer place. Work has had to go into the shadows. It's become unlawful work, even if it's technically lawful work we are regarded as criminals. We cannot work freely, go out freely, fear is installed in us in our work and daily life.”

(KII_03)

Despite this, most participants avoid using Facebook messenger or talking openly on regular phone calls unless they are using foreign sim cards, and practice regular online ‘vetting’ of their followers and friends, as well as reporting any suspicious activity to each other.

“Personally, I have sensitive images on my laptop and cloud as well, but I do not really care anymore at this point.

[...] Even if you're not doing anything wrong you can get caught and get killed on the road, so I can just be here waiting for the bus and, they will kidnap or detain or torture you anyway, and if they don't get what they want they will threaten your family. At this point nobody is safe. I store things in the cloud, or I don't care at this point. Everyone is not safe here.”

(FGD_06) (Male)

“For me, I don't normally give a lot of attention to digital safety because if the hacker really wants to hack my account they can do it, so I don't bother really that much.”

(FGD_01)

“At this point there is danger at any point, and anything can happen to you by chance [...] It can happen pretty much at random, which is why there is such a fear even if you are not doing anything and have kept yourself free of any images (on your devices). There is a danger that you don't know if it's going to come to you, you just have to deal with it.”

(FGD_05)

One male participant described using a VPN and putting their phones “on airplane mode, in case this could prevent their phones being tracked, as the only precaution that was taken (FGD_06). Another, described a series of steps before and after each phone call, involving moving to a public place (shopping mall, to make it difficult to track his person among a crowd) entering a battery and a new sim into a phone (recognizing that even if his phone is off, as long as the battery is in it can be traced), identifying CCTV locations (and how to avoid falling within their field of vision) and only then making the call. This would be followed by taking out the battery and throwing away the sim card (to avoid being associated with a number which can then be tapped into). (KII_03) It could be said that of the respondents interviewed, those working as journalists and/or channeling funding to PDF described the most precautions being taken, while youth CSO members, students, and wider youth population took only basic precautions, to varying degrees over the months following February 2021. While it is clear that precautions vary from person to person and the nature of their work, it is also evident that for some youth, even those involved in anti-coup activity, a laxer attitude towards digital safety is being shaped in recent months as a result of what is perceived as ‘random’ violence and a loss of faith in being able to ever protect themselves fully;
The majority of information disseminated online has been related to the coup, and much of this has come from citizen journalists.

“After the coup, there was a huge, huge turn to the use of citizen journalists – people of all different professions who have information that they can then feed into the media. That was a trend that happened in 2007 during the Saffron revolution, and in 2008 during (cyclone) Nargis. Now their importance is exponential, we need many eyes on the ground – not just journalists but also documentation of human rights abuses” (KII_04).

With the crackdown on independent journalism, the blacklisting of popular social media platforms and internet shutdowns, there has been a big uptake of the responsibility to report by young activists, journalists, and students. During blackouts, relevant information was disseminated through telegram channels, mass messaging and newsletters available for print. Political newsletters like Towards, Molotov and The Voice of Spring were published by student activists and journalists around March 2021 and gained huge popularity among youth across the country. Despite the heightened risks journalists have continued to report;

“There appears to now be a much savvier appreciation of what propaganda looks like among the general population. This is mainly because Gen Z grew up in a world with social media and access to internet-enabled mobile phones. Gen Z is better educated and equipped with modern day technology. They are globally connected.

“From the perspective of the journalists, when we get information, we need to publish that information for the awareness of the general public, regardless of whether it might ‘harm’ the authorities or government, if the information is correct, we should be able to publish it.” (FGD_04) (Female).

Public demand for information about the coup has increased, and the media outlets that have continued to provide it have garnered greater attention and respect. While collecting and verifying information has become more difficult because journalists cannot easily travel and have no access to official responses from the state, existing networks and the vast number of sources online have filled this gap and enabled journalists to continue their work (Freedom House, 2021).

“Post-coup, journalists again became heroes. People also realized how much they need information and how important good journalism is.” (KII_04)

“Online deconstruction of rhetoric that is happening now that was never a part of anything before, it was technically possible, but it is also now a reflection of a learning curve. GENZ grew up with independent media and has clever systems to identify, report and verify fake news” (KII_04)

4.3.3 Fake News & Propaganda

In the early hours of February 2nd, word of the military coup began circulating online. Once it was confirmed that a military coup had indeed occurred, a flurry of messages and social media posts debating the next 72 hours were sent out into the web; namely, a debate on whether it was essential to act in the first 72 hours in order to make clear that there was no public support for this move – or – to wait it out, as

Figure 6: Still image from footage documenting creative protest in Myanmar, shared on Latt Thone Chaung social media platforms
any action may be used as exactly the excuse needed to crack down and tighten control. This marked the beginning of what has come to be an unprecedented level of political engagement online by youth across the country.

In the weeks and months that proceeded, hundreds of thousands of civilians began participating in street protests and acts of civil disobedience - the face of youth engagement online was changed. A resistance movement of national proportions ensued, and messaging platforms now served as a means to coordinate actions and continue momentum. A flurry of anti-coup artwork emerged across Facebook and Instagram feeds, hashtag campaign established on Twitter and youth took to platform after platform — including Bridgefy, Telegram, Signal and Google Maps to name a few — in order to exercise the energy of the moment and help it grow. Government bans of social media sites soon censored the growing popularity of hashtags such as #WhatsShappeninginMyanmar #VoiceOutForDemocracy and #SaveMyanmar.

“Before February I didn’t usually post - but after the coup I tried to speak out as much as possible. I used Facebook every day to speak out about the political situation in the country. I give likes to those that I know and comments under the posts of people I know. After the coup I mostly share things about the revolution. My engagement is more since the coup and mainly about the political situation.” (FGD_01)

The online space has essentially become a parallel battlefield in which the country’s military and its opponents try to rally supporters, share information and control the narrative around the unfolding events in the country (International Crisis Group, 2021). This virtual struggle has been vitally important to both sides. The scale of popular anger at the military, and to a smaller extent the policies of social media companies have presented significant challenges to military control. Discussing ongoing interactions between civilians and military personnel and supporters, one participant explained that these are often unpleasant and redundant at best:

“Military supporters on Twitter, they will scream at you and post porn” (KII_01) (Female)

This comment highlights the unpleasantness of such encounters but also points to the widespread use of fake porn and violent misogynistic imagery to marginalize particularly and threaten female activists. Digital rights monitors and journalists have identified disturbingly high numbers of videos on TikTok (Ewe & Diamond, 2021) posted by soldiers threatening violence and death in response to anti-coup activity (Reuters, 2021). Facebook (Frankel, 2021), TikTok (Lyons, 2021) and YouTube (Castronuovo, 2021) have vowed to remove propaganda, violence and misinformation published online by the military, and have banned various military controlled accounts, but have not addressed the issues with the underlying algorithms that boost and amplify hateful content. Personal accounts of soldiers remain, and the military has reportedly used ‘Deepfake’ manipulated videos in attempt to cause uncertainty and undermine public ability to discern the truth.

Social Punishment

‘Social punishment’ began shortly following the coup as the doxing of military personnel, their families, so called cronies, and members of the public who either side with, or do not side against the military. In its simplest and most organized form, it involves revealing information about people and businesses affiliated with the military, in attempt to apply social and economic pressure through boycotts on business and brands, as well to engage in social shaming. Websites, applications, and social media pages were set up by anonymous activists, listing businesses and individuals associated with the military, their images, their locations and what they are being called out for. On some social punishment platforms, offenders were ranked by their ‘traitor level’ (low, to elite) depending on how wrongful their associations are deemed to be (McMichael, 2021).

“In my understanding, social punishment is like shaming the people who perpetrated the violence on the people and sending a signal to the next generation of those perpetrators and to isolate them from society. That’s why I engage with it, always, and actively urge others to do the same.” (FGD_01)

Social punishment echoes a long-standing division between the military and civil society which has only deepened over the years with the spread of social media, which has allowed people to witness military families prosper (through information and images of their glamorous lifestyles circulating online), alongside the ruthlessness and violence of Tatmadaw.
“This is how punishment has worked in Myanmar, especially under Junta rule, and the Junta is doing the exact same thing on a much larger and far more violent scale. If an NLD member is wanted and they can’t find him, they’ll take his 4-year-old. Family members of targets are seen as fair game and that’s always been true for decades and this is what punishment looks like for people. This is how you enact power and get your side to win. This is a legacy of that practice.” (KII_01)

Social media and online activism have become a highly utilized weapon in fighting the junta, but ethical concerns about some of these tactics have raised important questions around FoE. For instance, one FGD participant revealed they had never been an instigator of hate speech before, but that since the coup, expressed a desire to direct such language at those on the military side. (FGD_07)

“It’s hard to not do hate speech, for me right now, because I have a lot of emotions. I’m seeing the news daily, seeing what’s going on with us, with people. So freedom of speech is a different thing for me right now because of the coup. Before I wouldn’t judge, swear or practice hate speech online, but I think I live that differently now.” (FGD_07) (Female)

Social punishment has emerged as a tool against the military and their supporters and people are willing to go to any extent possible to make it successful.

Hate Speech

Hate Speech can be described as “Violent or dehumanizing speech that calls for exclusion or segregation or incitement to violence against, or discrimination against individuals or groups based on their race, ethnicity, national origin, religious or political affiliation, sexual orientation, caste, sex, gender, gender identity, or disability” (Burma Monitor, Progressive Voice & International Human Right Clinic at Harvard Law School, 2020).

Facebook, the main social media platform in the country, has played the most significant role in disseminating hateful content and has come under much criticism in recent years for acting as a space where “extremist discourse can thrive; human rights violations are legitimised and incitement to discrimination and violence are facilitated” (UNOHCHR, 2018). In recent years, those benefiting from division and conflict in society, including the military and ultranationalist groups have been using Facebook to gain political influence by strategically inciting violence through the spreading of hate speech and misinformation.

Hateful rhetoric, fake news, graphic images, and propaganda videos have long been created to be liked, shared and set the stage for inflammatory discourse. Referring to images of dead soldiers posted in recent months and the ‘positive’ reactions of people several participants – who in other respects espouse human rights and democratic values - expressed a sense of achievement or success.

“When I see dead bodies of military and soldiers, for me I give a heart reaction to that photo and see the same from so many others. But for the families of this soldier or police it can be counted as online violence - but we are happy about it and to see the dead bodies of those people. In some case people don’t want to see that and are not comfortable, but still try to give a heart reaction.” (FGD_01) (Female)

“I am happy they were killed. Most people writing (comments) are angry they are not normal they have been mentally or physically abused by the military. I think they were mentally sick.” (KII_03)

The military coup has stimulated a surge in hate speech that has been identified by participants as problematic – though potentially useful – and social punishment has come to include any form of anti-military speech or action, which for many, has become synonymous with hate speech.

THERE IS ROOM FOR ERROR AND MISUSE

“One example, there is an actor, he posted a post at the beginning of February and then disappeared from social media. I started to do social punishment to him, and eventually he reappeared in the liberated area, and now he has joined the fight against the Tatmadaw. I realized I didn’t have enough information about him when I did the social punishment, and it wasn’t fair because he was trying to join the revolutionary forces.” (FGD_01)

“My cousin did social punishment because of personal issues, and to bring out people he didn’t really like, not because of the military.” (FGD_05) (Female)
“For me, it’s not in line with the human rights perspective. Some people also manipulate the idea of social punishment, using it as a title, just to individually express their anger towards someone else they don’t like.” (FGD_02)

**THERE IS ROOM FOR IRREVOCABLE HARM**

“I have seen military family photos, where they make bloody marks on the children, almost mutilating them in the photo with red paints and so on. These are all examples for me for social punishment. Also recently there has been a lot of news where a whole dalan (informer) family were executed—murdered, by the PDF. Not just young people, but a whole family including elders. In the beginning it was imaginary, posting photos with red paint but now it has turned into actually going into people’s homes and murdering them, there is no law now.” (FGD_05) (Female)

“Some people are threatened physically because of it (social punishment), even death. Some people are accused of being informers to the military and when that person is accused, he or she can face death threats and life and death situation. Nobody can properly check whether they are really an informer or not. I’ve been seeing these incidents. There are also some famous actors and actresses who did not join the CDM, and they may support the revolution behind the scenes, but not do it publicly, but other people don’t know that, and when they don’t know it they shame them for not publicly joining the situation. That’s why we need to understand everyone’s situation. When one actor doesn’t speak out publicly about the coup many people criticize him and some people go further than that, using even the element of ethnicity, and it can lead to more serious consequences.” (FGD_04)

**IT’S COMPLICATED!**

“The way I see FoE, first it’s very fundamental to a democratic society, everyone should have an input, everyone should be able to say their opinions, what you think is right what you think is wrong. I believe we shouldn’t stop or censor even abusive language and hate speech. If we censor that kind of speech, we cannot advance and progress, because we need to have that kind of debate.” (FGD_07) (Male)
“I do think the intentions (exercising social punishment) are correct because a lot of the country’s detriment comes from the corruption of these families and a lot of the people struggling here have these families to thank for that, who are stealing from the people money or resources here. When it first started out, it was “clean” if people are just getting to know who the families are. But I think that people here, especially on Facebook, can go to the extremes, and for example post not just pictures but nudes, horrible graphic pictures about these families that are bad and terrible and have done terrible things but it raises a completely different issue, that would be harassment in any case. It also turns it into a personal vendetta, people also add people they have personal issues with, to affect their reputation.” (FGD_05)

“In my opinion I don’t think it is fair to shame the people who don’t join CDM it is an individual decision, and each individual has a different family situation and personal situation. We need to understand the personal background of each individual, that’s why we shouldn’t do social punishment to those who decide not to join the CDM.” (FGD_04) (Rakhine)

“In Myanmar, the military use their weapons not to protect, but to kill people. The people have no weapon, they only have their mouth and their voice on social media. That is the only way to fight back at them. Somebody who supports the military, they condemn them. For a normal country, it doesn’t matter. It can be bullying if some people make a group to bully others. But if he/she is supporting a group who is killing a lot of people and violating human rights, they are working against humanity. So, the community must condemn it. I think that is an ethic here as well. Even with monkeys, if one monkey tries to abuse or rape the small monkey, the rest of them kill that monkey, because they think that is dangerous for their monkey society.” (KII_03)

“Free expression should not harm. Social punishment is intended to harm, that’s why I don’t think it can be considered an element of free expression.” (FGD_02)

“We need to participate otherwise we will get judged” (FGD_07) (Female)

“That’s the way people are exercising their revolution and their way to fight against authoritarianism. I think it’s ok, as long as they don’t harm individuals in any way physically. Killing them, or physically attacking them is way beyond social punishment. It is just to do with business and punishing them in terms of banning them from social activities and stuff.” (KII_02) (Male)
“Can social punishment be considered free expression? When we don’t have justice at all by any other means, this could be a softer version of achieving that. It’s hard to say.” (FGD_02) (Male)

“FoE is one thing, hate speech is another. We (the public) usually forget. It’s about liability about having authority and responsibility of what you say, which can be standing up for the truth too. It’s not about, let’s say, bluntly and verbally abusing somebody who has been accused of theft. Until he or she has been convicted as guilty, there is a chance they can be innocent.” (FGD_07) (Male)

“For me, I think the idea of social punishment is not correct, from the perspective of human rights. It isn’t something we should do. But at the same time when I think about why people do this, for those people they cannot do anything else anymore, so this is their only tool to respond to the situation. For me personally, I don’t like the idea of social punishment.” (FGD_02) (Female)

“The core of the problem is we dehumanize the other person. We were able to say all these things to the other, because we dehumanize them, like with Min Aung Hlaing. This is the same thing we did with the Rohingya issue, they detached themselves, it was no longer human to human communication. It’s like we are talking about some “evil” figures, something not human anymore. [...] We shouldn’t make a habit out of it, because once we dehumanize a person, there is no limit to what we can do. I believe that is what is being done to us. I don’t believe they see us, the 55 million people as human. [...] So, in order to salvage our humanity and focus our goals of winning this revolution while keeping intact our humanity, I think we should pay attention to this and catch ourselves from time to time and ask, are we dehumanizing the other person?” (FGD_07) (Male)
How are lines drawn?

Participants were asked to reflect on what they considered unacceptable, and where they draw lines in their daily lives with regards to what should or shouldn’t be said or done online.

“In my opinion we have to take actions against those responsible for crimes, but for Myanmar’s situation we cannot rely on legal mechanisms anymore, so maybe in the future we need to think about accountability mechanisms to punish those responsible for the crimes. We should not use social punishment as a tool to punish those responsible.” (FGD_02) (Male)

“The idea of social punishment gives me many thoughts, for example, a father commits something, and that action can impact the son. It can lead to an eye for an eye act. They commit violence, and then we do social punishment, that kind of back and forth I don’t agree with. Personally, what I think is, we need to follow the system and rules and regulations, and if someone commits a crime, they should be punished in accordance with the law. If we engage in social punishment it can lead to chaos. When others do it, I don’t comment on it or feel like I know enough to judge the actions of others.” (FGD_02) (Male)

“If one person kills another person, that act of crime should be punished, but to decide whether he or she should be punished, we have courts and institutions and professionals. We need to rely on institutional arrangements to punish those responsible for the crimes, we should not take up this business ourselves.” (FGD_02) (Male)

“We all have anger and can be angry from time to time. But we need to think about the actions of someone else before we make a comment. The limit I set myself is talking about justice. For example, if one person kills another person, I would say ok we should take legal action against this person. Even though I want to say something more than what the law says, we should not say things that could lead to chaos. That’s the limit I set for myself, otherwise the consequences will be very negative for society. This is a self-limit I impose on myself.” (FGD_02) (Male)

“Social punishment is like an eye for an eye thing, so we should use the right way to deal with these situations. For example, in early February, there was a policeman killing a female protestor and we did social punishment against him for his violence against an innocent civilian, but when it comes to his family members, I don’t think it’s the right way to engage. If someone kills someone else, in that case we can’t tolerate it and we must express that this
A person needs to be punished, we need to express that. If that person is not punished, the limit we should set is that ok this person is still not punished even though he killed another person, but we shouldn’t go beyond that. The killer also has human rights, he also has to be punished, he cannot escape justice and enjoy impunity, but when we do punishment, it should be done in accordance with the law. We cannot be the judge of his crime.” (FGD_02)

“I’m ok with boycott, but I have mixed feelings on social punishment, especially in this moment, while people are suffering, prices are higher than usual, especially doing social punishment for non-CDMers, people are trying to survive the best way they can and get whatever job they can. We can’t provide enough for every CDMer, so it is kind of difficult to do social punishment on them. At the start of the coup, it was ok but not anymore now.” (FGD_06)

“It’s not a list of things that I shouldn’t do, but more of a feeling you got to read the room, not just for expression, but for everything in life, being able to read the room, and be conscious of everything that is happening around me. There are times that my input may be needed and times where my input is not needed and I operate according to that.” (FGD_06) (Male)

“I try to analyze the depth of the topic first, is it beneficial, influential, relevant. The second thing I do is to think of the audiences, those that are going to be a part of this topic, sometimes even if it’s right, you cannot say or do the right thing because the time is not right.” (FGD_07) (Male)

“In the beginning I shared news that is shocking without thinking about it – but lately we have been consuming so much about death and violence, and there have been so many photos that are graphic, I try to share less now, because I think that it could be disrespectful for those who have died.” (FGD_05) (Female)

“Among ourselves we know its justifiable, people have been cornered, they don’t have a voice publicly so they go to the comment section and hash it out but to some, to onlookers, they might think of us as bloodthirsty people who have totally lost their humanity. Moving forward I think that this mentality, especially when it comes to commenting on Facebook needs to be changed.” (FGD_07) (Male)

“Gender-Based Violence

Due to the patriarchal norms and practices, Myanmar faces some of the highest rates of GBV in the region. The UN states that violence against women and girls is a ‘silent emergency’ in Myanmar (Base, 2016), embedded in prolonged complex conflict dynamics, chronic poverty and vulnerability to natural hazards. This is further exacerbated by the COVID-19 crisis. One report claimed that during the first wave of COVID-19 alone, there was a 7-fold increase in GBV cases (Thompson, 2020).

In post-coup Myanmar, GBV has exploded both in online and offline spaces. In most instances, the GBV is inflicted as a social punishment for those who are aligned with the military or are sympathetic to the military.

“For me, some instances I have seen online are where people post inappropriate photos of people affiliated or siding with the military or being dalan. I’ve seen inappropriate images, almost nude photos of women they claim are pro-military, photos that are meant to be private.” (FGD_05) (Female)

“Soon after the coup there were sex tapes of female police and in the past when those videos came out, women would help each other to remove them from the internet. After the coup when those videos came out, even the women won’t protect female police anymore. We have to do social punishment to the direct individual perpetrating violence – not their relatives.” (FGD_01) (Female)
The GBV proliferating in online platforms is particularly targeted towards female members of the Tatmadaw and police or female family members with the intention of defamation.

“A few days ago, I saw on the news - I don’t know if it’s a rumor or fake news but it’s everywhere on social media - someone from Mawlamyaing, a wife of a soldier, she slept with 3 other soldiers, and people were making fun of her [...].” (FGD_07)

While many supported GBV against military supporters in the online space, some disagree with this method of punishment, particularly women.

“ [...] I disagree so much with that kind of behavior, because for so long in this country and many countries, whenever we have a sex tape leaked, it’s always on us, on women, why us? Why is it the women who have to take that punishment? Why can’t they punish her in another way? That she is a wife of a killer, or soldier, but they would rather leak a video of sex and shame her, [...] (now) we can humiliate a woman with sex, and that’s not ok.” (FGD_07) (Female)

4.4 ONLINE - OFFLINE

New digital technologies have created an expansive world in which youth are living out a significant proportion of their daily lives. It is a world that is co-constructed through acts of communication, and it allows for infinite enactments of this both within, and outside of geographical, political, ethnic, cultural, economic, and other boundaries. The significance of this parallel world lies in the ways in which it affects the lives of people, whether they are participating or not. The divide between what happens online and what happens offline are fast dissolving and Myanmar’s youth have been experiencing this more explicitly now than they have ever before. Engagement in any activity deemed unlawful, such as social punishment online, or simply contacting or communicating with an individual or group declared to be unlawful can result in arrest. One participant did not realize their camera was on for several minutes during a politically sensitive online call, and reports having had police asking for him by name in his street two days later. Another expressed receiving threatening text messages to their personal number shortly following an online post. It is not, however, only a risk to safety that was identified, but the impact of social punishment and hate speech in shaping societal norms and impacting wellbeing. A link was also made between the increased time spent online and the consumption on the one hand of violent content online, and on the other, of news related to the COVID-19 pandemic, in particular the surge in cases that occurred between June – August 2021.

“We spend too much time online, and this can eventually lead to emotional and psychological harm, not just because of COVID-19 but also since the military coup. We are not happy anymore and don’t know what to do.” (FGD_02) (Female)

“The Facebook environment had been too toxic for me because every day I have only been seeing depressing news in June and July.” (FGD_02) (Female)

Participants remained concerned about the effects of misinformation when it came to health-related issues. For instance a FDG participant explored the link between online activities and offline consequences.

“There are links between online and real life, especially with elderly people, when they look at news on Facebook for example with covid related information, after reading instructions and do the actions in real life even though medically they are not relevant.” (FGD_01)

Mention was also made about the performative potential of online space; the ways in which identities are enacted online and the (un)reality of this, in particular referring to those that purport to be avid supporters of the resistance yet may do little in practice.
Throughout the research participants identified both the benefits and potential in the use of digital platforms, and the problems that arise in doing so. Understanding whether there should or should not be regulation of online activities, and why, was pursued in order to best identify who or what participants believed should be responsible for doing so.

“Sometimes they express beyond basic rights, and it can lead to cyberbullying or attacks. If it leads to that, then yes, we must have restrictions, otherwise people might exploit FoE and attack each other. Especially cyberbullying against women. It should be prohibited and handled by authority. We do need regulation to monitor and filter harmful content.”

(KII_02)

Survey results presented an assortment of responses to the statements in figure 8, indicating a lack of consensus on who should be responsible for what, as well as a shared responsibility by different actors. A large percentage of survey participants both agreed and disagreed with the need for government regulation. Upon further discussion in focus groups and interviews, more clarity was found on what some participants may have understood as ‘government regulation’ with several accounts similar to the following:

“The government, but when we talk about the government it has to be of the people, by the people, not the military. An elected government should regulate the digital space according to the law.”

(FGD_01) (Male)
The notion of a democratically elected government that 'listens to the people' was echoed alongside an understanding that viable alternatives are not necessarily more attractive;

“The government. Not every government is democratically elected, they also use it to control. We don’t want to regulate speech at the end of a gun, at the same time we don’t want companies that are for profit to be in charge. We need to strike a balance.” (KII_01) (Female)

At the same time, other participants expressed an adamant distrust of any government regulation, regardless of who is in charge. The majority of participants believed that tech companies should assume responsibility to handle harmful content shared on their platforms, and participants expressed close familiarity with Facebook community standards and reporting mechanisms for harmful content. For many though, tech companies cannot be trusted to hold this responsibility alone.

Several participants perceived an ‘unfair’ or ‘uninformed’ management by Facebook.

Respondents exploring the role of individual responsibility in this regard demonstrated a minor reluctance, evident by the number of survey participants who totally agreed, which was less than those that were either neutral, or agreed a little or disagreed a little. This could be in part because of a belief in limited widespread ‘knowledge’ with regards on appropriate online behaviour;

“People like us, we are aware of the standards and ethical considerations, what we should or shouldn’t post. There are others who don’t have that kind of knowledge. […] there are people who intentionally create problematic posts – in which case the government and tech companies have to coordinate to take action – against those who create fake news intentionally. It also depends on the situation in which the people commit actions online, intentionally or unintentionally.” (FGD_01) (Male)

For most focus group respondents, however, this was also further explained by the perception that individual responsibility, while deemed an essential first line of action may not always be enough on its own. Few respondents expressed that the online space either cannot or should not be regulated at all and caution was advised;

“I think it’s important that we tread very carefully very lightly when regulating freedom of speech. If we start regulating it could lead us to losing the essence of freedom of speech […]” (FGD_07) (Male)

Further questioning of two participants who felt strongly about the topic of regulation highlighted a belief that FoE entails within it a strong element of responsibility, to be responsible for what you say and do online (as individuals) first and foremost. This was supported by the belief that it is somewhat necessary to regulate the online space, but vital to exercise caution, to not overdo it and “to be aware of what we might be giving up to have these laws and regulations in place”. (FGD_07)
CHAPTER 5: DISCUSSION AND RECOMMENDATIONS

5.1 DISCUSSION

Myanmar’s Gen Z have spent the majority of their adult lives living through a period of gradual, if imperfect, democratic expansion, through which they have experienced, to greater or lesser degrees, growing FoE. This has been in no small part linked to the increased access to and use of the internet. A significant percentage of Myanmar’s youth population have internet access and are active social media users. A focus on digital literacy in recent years by various actors, including INGO’s, CSO’s and the government, has not been without effect, particularly with regards to social media platforms and online behavior. Users demonstrate an increasing understanding of harmful practices, such as cyberbullying, hate speech, fake news, propaganda and misinformation, and how to report these. Facebook’s ‘Community Standards’ are of note for the role they have played in shaping what can or cannot be said or done on social media platforms and online behavior. Users demonstrate an increasing understanding of how to use the internet in their favor, accessing information, entertainment, promotion, creative expression and to explore their identities. Despite the sudden – and for many young users, new levels of – repression faced following the military coup, youth have demonstrated a readiness to adapt to the situation, with little compromise on their right to FoE. While fear of arrest has necessitated selective self-censorship, youth have expressed a willingness to navigate through and assume risk to exercise their right.

How have they managed this? Through the adoption of ‘security minded’ behavior. Increased digital security practices such as hiding personal details, using messaging applications with end-to-end encryption such as Signal or Telegram, or the use of VPN’s and TOR to access the internet, youth have taken a variety of measures to minimize the risks they have been facing. They also practice vigilance with regards to their online connections and interactions. Part of this practice includes the careful vetting of social media profiles, with users identified as ‘dalan’ declared as such across relevant internet platforms for all to see. Propaganda and fake news are scrutinized and similarly exposed online. Youth have been offering peer to peer support on what technologies to use and how to use them. In the weeks immediately following the coup and while protests were still taking place offline, messaging platforms and GPS were used extensively to coordinate, report on ‘dangerous’ situations, places to avoid and where to take refuge. Once offline activity was restricted, new forms of protest and civil disobedience grew online. Digital platforms have been used to raise funds for the CDM and PDF, to share information and content in support of the resistance and for creative expression. When both independent media and the internet were being shut down, alternative sources for the sharing of news fast emerged in the form of printed newsletters, and SMS mass messaging. The internet has also been used to build solidarity and community across geographical and other divides, and users have shown up in vast numbers in support of each other and their shared future. Six months into the coup and during a peak in COVID-19 cases and critical shortages of medical assistance, the way users utilized social media platforms was key in organizing distribution and access to vital medical supplies and up-to-date information around the clock.

While, as several participants pointed out, it is true that sophisticated surveillance technology and a target on one’s back can render many if not most digital security precautions useless, the research has found that on a day-to-day basis, censorship can be bypassed, digital restrictions can be circumvented, and societal norms can be ‘ignored’. Youth in numbers can still exercise considerable agency in the online space, for good and for bad. Individual perceptions on what FoE means and where to draw the lines are the first and most important line of action when envisioning a free, expressive (not harmful) diverse and tolerant, digital culture moving forward.
In dealing with the loss of freedoms and indiscriminate violence experienced since the coup, youth have ventured into grey areas or turned to what could be considered violent and discriminatory practice online, motivated by the pursuit of justice. The practice of social punishment targeting individuals in certain ways following the coup illustrated a potential for harm in the use of social media motivated by individual and collective anger, as well as an outlet for the propagation of discriminatory and harmful practices, such as gender-based discrimination. Peer pressure, and the fact that some users faced backlash themselves for not participating in social punishment with which they may not have been comfortable, also lives in the grey and presents a complicated facet in the fight against repression.

With increasing arrests linked to online activity, economic pressure, and a surge in COVID-19 cases social punishment as an online practice has since become less prevalent online and users have attributed this to a deeper understanding and empathy towards others and of themselves. There is recognition that not everyone could afford to participate actively in resistance, or at least not publicly, and that some mistakes were made.

This research has found a profound degree of integrity, moral deliberation and empathy expressed by participants, who, whilst they may have over the course of the last 8 months engaged in online activity which could be considered harmful, or have ventured beyond the lines they themselves previously considered acceptable, are mindful and reflective.

As many participants pointed out, it is no small task to attempt effective internet regulation. To do so, would require collaboration of various entities, including the government and legal provisions, social media companies and independent monitoring bodies. Most importantly however, it is self-deliberation and self-imposed boundaries that have been found to be the most important area of focus in the current context.

Though limitations do exist in widespread technical knowledge and wider digital citizenship practice, the developments that took place prior to 2021, coupled with the experiences of the months following the coup and in crisis, have resulted in fast learning and internet wisdom. What remains is to deal with the repercussions of political crises, prolonged repression and internet fatigue that youth are experiencing now. Youth have expressed feeling tired, lost, de-motivated and even conflicted about their actions and motivations.

### 5.2 Recommendations

#### 5.2.1 Donors, National Organizations, International Organizations, Civil Society Organizations

**Dismantling the enabling conditions for hate speech:** Narratives of hate speech have widespread appeal today because they thrive on existing circumstances, namely historical divisions and segregation; existing stereotypes and prejudices sown through the spreading of misinformation and the cultivation of fear over the years by successive military regimes (Burma Monitor, Progressive Voice & International Human Right Clinic at Harvard Law School, 2020). There is also a global trend for hate speech and polarization of views due to the way social media platforms amplify certain types of content. A troubling picture of behaviors and thinking perpetuated by hate speech has emerged, and key narratives include the dehumanization of SAC members and supporters and the perpetuation of gender-based discrimination and violence against women. Urgent attention is required by all stakeholders to prevent existing hateful narratives taking root, and to reinforce the work of anti-hate speech campaigns and digital literacy programmes that have been taking place in recent years. International human rights law and standards provide guidance on a multi-pronged approach for Myanmar to combat hate speech, while protecting FoE and civil society space that can be utilized (Burma Monitor, Progressive Voice & International Human Right Clinic at Harvard Law School, 2020). **Donors should dedicate time and resources towards projects that enable youth to identify the drivers, root causes and means for dissemination of hate speech, taking into account the current context and holding social media platform regulators to account. It is vital that youth take the lead in promoting dialogue, healing and tolerance moving forward.**

**Digital technology should be supported as a means of expression, communication and societal development across geographical, religious, ethnic and ideological divides:** While the prospect of federalism as a shared political vision among pro-democracy and federal proponents has lost momentum since the start of the coup (Ye Myo Hein, 2021), it has on some level resulted in a closer sense of comradery across ethnic and religious divides and presents an opportunity to develop mutual understanding and appreciation among Myanmar’s numerous ethnic groups. FoE online was described by one participant as vital to knowing about and understanding different opinions, particularly among different ethnic groups. Of note is that digital communications also present a lifeline and channel to communicate with military and police forces, to encourage defection (in the short term) and mitigate damages and foster understanding (in the longer term). It is suggested to facilitate online discussions, content and campaigns focused on promoting diversity, shared experiences, valuable differences, and the benefits of mutual respect. **Donors should invest in ICT initiatives designed for peace and development and that national and international organizations and civil society should continue to develop their ICT capacities to meet this potential.**

#### 5.2.2 Governing Authorities, National Organizations, Civil Society Organizations

**The need for more digital citizenship programming:** In a time of rapidly changing online landscape, providing youth with the competences they need to create culturally
diverse and democratic societies is vital. Previous research has highlighted the impact of internalized constraints, self-censorship and fear of authority on the development and exercise of digital literacy skills and the need for considering social and psychological wellbeing impacting these constraints (Poveda, 2018). It is advised that further research must be carried out to explore the ways in which the events of the last eight months have impacted the digital literacy and culture of different demographics. This should be used to co-create contextually relevant resources and programming focused on digital citizenship. Governing authorities and national organizations should focus heavily on the development of digital citizenship programmes in collaboration with youth and designed in a manner that resonates with the current climate and experiences.

5.2.3 Gen Z, National Organizations, Governing Authorities, Social and Tech Media Companies

The importance of understanding and exercising free expression in society: The enabling of public discussion on the practice of, limitations of and ethical considerations around FoE in this critical political juncture in Myanmar is imperative as a short-term intervention. Encouraging healthy debate through online events, campaigns on the topic as a means to exercise free expression while reflecting on what this means for others. In a long term it is equally important to negotiate for an independent monitoring body with the participation of key stakeholders (including tech companies, CSO’s, youth representatives and government) to re-establish and monitor internet access, infringements on the right to privacy, legitimate online activity, and expression.

5.2.4 Donors, National Organizations, International Organizations, Governing Authorities, Mental Health Practitioners, Gen Z

Promoting healthy digital practice as a key factor in quality of life: During the COVID-19 pandemic, discussions and learning around mental health and wellbeing emerged from the shadows; with a large number of webinars, online courses, telephone and internet counselling made available to young internet users across the country, the topics became a little less taboo. With the onset of the coup and the surge in COVID-19 cases, emotions, difficult news, violent imagery and speech online and the daily risks assumed simply by being online has resulted in dire effects on the mental health of youth. Participants expressed fatigue, and a sense of feeling ‘damaged’ ‘not how I used to be’. Much research has been done on the ways in which individuals construct and live their identities online, as well as the ways in which collectives of people who communicate on the internet really constitute a totally new kind of society. Virtual communities present a flourishing opportunity for a different lived experience, but caution must be exercised. The detachedness of individuals presents a risk of social isolation in individual people, harboring feelings of loneliness and depression that adversely impact their well-being (Tolnaiova & Galik, 2020). The potential for anonymity allows youth to be more open, sociable and in the current situation, enables them to freely express themselves in the face of repression. It may also however, allow for disinhibition and unrestrained behaviour” feeling protected by anonymity, we are prone to breaking the norms, telling lies and being aggressive and vulgar when we deal with others” (Tolnaiova & Galik, 2020).

It is recommended that donors using this opportunity, where interest and awareness around mental health and wellbeing is heightened to fund further study and programming designed to explore the concept of digital well-being in Myanmar’s digital landscape. This must be done not just by looking at how to minimize the risks and harmful effects of the digital space, but also at how technology can be used meaningfully to add value to the lives of users, and mental health practitioners will play a key role here. This can include what the Council of Europe’s Digital Citizenship Education Handbook describes as: Information related to how we feel online, comprising another three digital domains: ethics and empathy, health and well-being, and e-presence and communications (Council of Europe, 2019). Programmes focused on developing a broader variety of digital skills and expertise suited to the interests of individual youth may also prove to be empowering and encourage positive engagement online.

Areas for further study

This research has highlighted a number of areas for further study, that would add to our understanding of FoE in Myanmar today and how it is evolving in the eyes of the young people actively pursuing a better future for their country. For example, it would be useful to look at the practice of social punishment, and how it can be contextualized and understood theoretically and historically in the context of Myanmar. It is clear the internet has amplified such behaviors but the extent to which it is rooted as a cultural or community practice is less clear.


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## ANNEX I

### ABOUT

<table>
<thead>
<tr>
<th>KII_01</th>
<th>Journalist, digital technology expert, youth</th>
<th>Non-binary</th>
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<td>Founder &amp; Editor of anti-coup newsletter</td>
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### AGE RANGE

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**Total participants:** 34
FOCUS GROUP DISCUSSION

SAMPLE QUESTIONS

1. Since February 2021 - Where do you spend most of your time online?
2. How active are you online since the coup and in recent months? (Do you post, comment, like, share frequently)
3. What would you consider to be a ‘safe’ platform or communication channel – and why?
4. Which platforms do you find least secure – and why?
5. How would you define or explain freedom of expression?
6. How would you rate freedom of expression in Myanmar before/after the coup?
7. Do you feel like you can/do express yourself freely online now?
8. Do you feel like you could/did express yourself freely before the coup?
9. How concerned are you about digital threats? (Such as surveillance, hacking, cybercrime, fraud, blackmail)
10. What are your biggest concerns about this, what do you personally feel most unsafe about?
11. Have you ever been subject to intimidation or physical violence by state authorities or any other actor, because of your online activities?
12. Do you/ have you ever had an online account with a different identity?
13. Are you aware of – have you suffered from – have you witnessed – or have you participated in any of the following: fake news, cyber bullying, sexual harassment, social punishment, discrimination, other forms of online abuse?
14. How would you describe the phenomena of ‘social punishment’ especially online?
15. Have you engaged in/experienced/witnessed social punishment online?
16. Do you feel like online actions (posts, interactions, behavior) have real-life impact and consequences?
17. How do you decide on the parameters of what you should or should not say online? Individually? (What do you base this on?)
18. What do you believe is the most important purpose of freedom of expression?
19. What do you feel are the threats to freedom of expression online?
20. Should the online space be regulated? If so, who should be responsible for this?

ADDITIONAL QUESTIONS

21. (As an artist) After the coup do you find yourself as an artist to be more powerful, or less powerful? Do you still believe in your power to express what you want to?
22. What would you consider to be harmful in terms of online behaviour/content?
ANNEX II

FREEDOM OF EXPRESSION
CREATIVE ART GRANTS

FoE is essential to the arts, and the artist’s contribution is essential to society. Art has always, and will continue to influence society, instilling values, translating experiences, and evoking reflection. It is there to remind us of the values we uphold but also look at the things we must pay attention to. It is a vital part of challenging society and individuals and generating a collective memory and a fundamental sense of self. The authors of this paper recognize the importance of artistic practice, and the need to defend and assist artists and their freedom of expression, and creation.

As part of this research, an open call was held, inviting artists to submit proposals for the production of work exploring the topic of freedom of expression. Three artists were selected and supported with grants of USD 500 each.

ANONYMOUS ARTIST 1
ARTWORK: RULER
MEDIUM: MULTIMEDIA, DIGITAL COLLAGE, VIDEO, WRITTEN REPORT

A message from the artist: This multimedia artwork explores existing threats against freedom of expression in Myanmar that are violating basic human rights, through three items including a digital collage, a video piece, and a written report. I use evidence-based materials such as newspapers and some documentation that display incidents of threat or violence that endanger freedom of expression. The work not only focuses on repression by authority figures, but also the ways in which society censors, reacts, approves, and disapproves of certain expressions. If we are not willing to listen to other people’s opinions, every one of us can be a threat to freedom of expression. Not needing someone’s permission to express is the foundation of freedom of expression and thus human rights. Is important to peace, health and the well-being of a society and is the first step to building a better society. Because of the current political circumstances, Myanmar’s society has slowly morphed into a culture of not listening to other people and focusing only on what one wants to see and hear. Increased violent interactions of threatening someone for saying something that you may not agree with online or offline is a threat to other’s rights to freely express. The work discusses social justice issues from a broader perspective by not looking only at people in charge, but everyone else as well.
A message from the artist: *Anonymous* is a photography series documenting eight young activists from Myanmar who are unable to express what they believe, and unable to respond to the political situation freely under the current circumstances. I invited the activists to express what they are feeling while being photographed. *Anonymous* meditates on the restrictions of FoE and how this can threaten the daily lives of people in Myanmar; losing one’s freedom of expression is tantamount to losing one’s identity, the right to be “me”.

“To have the right to express as a youth is important. If we have Freedom of Expression in Myanmar, the country and society could change so much. There is no platform provided for youths to freely express themselves in Myanmar and no one really listen to the voices and criticisms spoke out by youths. From elementary school to university, there was no space for youths to freely express and share their thoughts. Youth activists craves for Freedom of Expression. That is why the revolution is here. As the situation as it is now, youths who was born after 2000 have lost their dreams and meaning of life.”
ANONYMOUS ARTIST 1
ARTWORK: FLOWER PUNK SCUM F***
MEDIUM: AUGMENTED REALITY
DIGITAL ARTWORK

A collection of five augmented reality artworks, designed to be printable on T-shirts and posters. Using a phone camera and the Artivive application, the artworks move to reveal a different images and messaging, invisible to the plain eye.

A message from the artist: Through an extension of reality, I want to make the invisible, visible. My work explores augmented reality as an artistic medium and a form of political resistance. Each work covers various cultural, social and emotional challenges of life in Myanmar after the coup. People should be able to express themselves, and this method helps to protect their safety by hiding the real message with technology. FoE should include the ability to denounce the military’s wrongdoings. By creating wearable art that people can use to express themselves, people’s voices will be out of government reach to detect and won’t be silenced.

“Cursed by the Lord with an open eye; a glimpse of the past year through the eyes of a Burmese”

(Bottom left) Eyes See Evil artwork (all other images) Eyes See Evil as seen through the Artivive application