



FREEDOM OF EXPRESSION
ACTIVIST ORGANIZATION

PERVASIVE HATE SPEECH AND THE ROLE OF FACEBOOK IN MYANMAR

BRIEFING PAPER





About FORUM-ASIA:

The Asian Forum for Human Rights and Development (FORUM-ASIA) is a Bangkok based regional network of 81 member organisations across 21 Asian countries, with consultative status with the United Nations Economic and Social Council, and consultative relationship with the ASEAN Intergovernmental Commission on Human Rights. Founded in 1991, FORUM-ASIA works to strengthen movements for human rights and sustainable development through research, advocacy, capacity development and solidarity actions in Asia and beyond. It has sub-regional offices in Geneva, Jakarta, and Kathmandu.

www.forum-asia.org



**FREEDOM OF EXPRESSION
ACTIVIST ORGANIZATION**

About Athan:

Athan ("voice" in Burmese) was founded on 15th January 2018. It was founded by young people who value and promote freedom of expression in Myanmar. Athan is a research-based activist organization. It has three branches - research, advocacy and education - to promote freedom of expression.

www.athanmyanmar.org

Copyright © Asian Forum for Human Rights and Development (FORUM-ASIA) November 2020

Regional Office

S.P.D Building 3rd Floor, 79/2 Krungthonburi Road, Khlong Ton Sai, Khlong San

Bangkok, 10600 Thailand

Tel: +66 (0)2 1082643-45

Fax: +66 (0)2 1082646

E-mail: info@forum-asia.org

Geneva Office

Rue de Varembé 1, 2nd Floor

1202 Geneva, Switzerland

E-mail: una@forum-asia.org

Jakarta Office

Jalan Karamat 2 No. 7, Senen

Jakarta Pusat 10420, Indonesia

Tel: +62 21 3919006

E-mail: asean@forum-asia.org

Kathmandu Office

c/o Informal Sector Service Centre (INSEC)

Syuchatar, Kalanki, Kathmandu

P.O.Box 2726, Nepal

Tel: +977 (0)1 5218770

Fax: +977 (0)1 5218251

E-mail: sasia@forum-asia.org

FORUM-ASIA online

Website: www.forum-asia.org

Facebook: www.facebook.com/FORUMASIA

Twitter: www.twitter.com/forum_asia

YouTube: www.youtube.com/ForumAsiaVideo

BACKGROUND

Myanmar is scheduled to hold its elections in on 8 November 2020. The run-up to the elections has been characterised by the continued exclusion of the Rohingya. The country's 1982 Citizenship Law, which deprived the Rohingya of their citizenship, has been used to deprive them of the right to participate in these elections.

In the year leading up to the elections, civil society in Myanmar also reported an increase in the use of hate speech and dangerous speech targeting the Rohingya, Muslims and other ethnic communities, particularly on Facebook. Facebook is reported to have more than 22 million users in Myanmar, which account for half of the country's population. [1] The Independent International Fact-Finding Mission on Myanmar report in 2018 referred to Facebook as a 'powerful platform' for hate speech, concluding that it had been used by the military to propagate hate speech and incitement to violence against minority groups. [2] The report further noted that Facebook had been slow and ineffective in addressing these cases.

“

Civil society in Myanmar also reported an increase in the use of hate speech and dangerous speech targeting the Rohingya, Muslims and other ethnic communities, particularly on Facebook

”

[1] <https://www.internetworldstats.com/asia.htm#mm>

[2] <https://www.ohchr.org/en/hrbodies/hrc/myanmarFFM/Pages/ReportoftheMyanmarFFM.aspx>

[3] <https://progressivevoicemyanmar.org/2020/07/09/joint-submission-to-the-un-universal-periodic-review-37th-session-of-the-working-group-hate-speech-and-shrinking-democratic-and-civil-society-space/>

BACKGROUND

A joint Universal Periodic Review (UPR) submission by Myanmar civil society in July 2020 showed that 'hate speech had escalated to dangerous heights due to growing and deepening divisions created by discrimination of ethnic and religious minorities.' [3] Aside from Muslims, Rohingya and ethnic minorities; women, and human rights defenders have also increasingly faced hate speech.

Structural violence in Myanmar, where the Rohingya are deprived of citizenship and where governments promote the racial superiority of Bamar-Buddhist majority, has continued to reinforce an environment conducive to the spread of hate speech. From March to July 2020, FORUM-ASIA's partners, including Athan, documented cases of hate speech on Facebook that showed that, despite actions from Facebook to address the escalating hate speech, many of these cases remain rampant and unaddressed.

While Facebook has taken steps to address oversights since the 2018 report, much more needs to be done to ensure the platform is not complicit to the institutionalised violence being perpetrated in the country, particularly against its ethnic minorities.

Facebook has the responsibility to ensure that it is not used as a platform to further reinforce discriminatory and dehumanising narratives, which have been used by some of Myanmar's leaders to justify grave international crimes against ethnic minorities.

“

much more needs to be done to ensure the platform is not complicit to the institutionalised violence being perpetrated in the country, particularly against its ethnic minorities

”

FINDINGS

From March to July 2020, FORUM-ASIA and its partners, including freedom of expression group Athan, documented around 40 cases of hate speech and dangerous speech on Facebook [4]. The study's scope is limited as it only covered posts and comments in Burmese. The researches involved also reported that many other posts were reported and subsequently removed prior to being documented. The actual numbers of hate speech are likely to be significantly higher.

The documentation demonstrated ***a continuous pattern of hate speech and incitement***, consistent with the findings of the the 2018 Fact-Finding Mission report. The elections and its outcome also risks further institutionalising the environment which continues to push ethnic minorities, such as the Rohingya to the margins.

A major narrative repeated in these documented cases is the threat of Muslims and the Rohingya to the purity of the Buddhist identity, and the need to reinforce Myanmar's race and religion rules.

The documentation revealed that Muslims and the Rohingya are the primary targets of hate speech. Cases recorded included the use of derogatory terms such as the Bengali, kalars, and dehumanising narratives against Muslims, and individuals accused of protecting the Muslims and Rohingya to the detriment of the country [5].

“ **The primary targets of hate speech that were documented were Muslims and the Rohingya** ”

[4] For this research we are using the definition of hate speech in the United Nations Strategy and Plan of Action on Hate Speech which defines hate speech as 'any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor.'

[5] Bengali and kalars are among the most common derogatory terms used against the Rohingya. Advocates have argued that these terms amount to hate speech, and are connected to the perpetuated narrative that that Rohingyas are not part of Myanmar

FINDINGS

Other cases indicated clear incitement to violence against Muslims and threats towards people who insult Buddhist Myanmar.

'A total of 16 illegal Bengalis – four men, 10 women and two children – who can't understand Myanmar language were found in a paddy field in a village of Mrauk-U township. Kill them! Kill! Feed them to the crocodiles!'

'if you insult our religion, nationality and language, there is only path, death'

The narrative also contained misinformation centred around themes of Muslims being responsible for tainting the purity of the country. These include accounts of proposed intermarriages that would dilute Buddhism or the Myanmar identity.

'Dr. Yin Yin New, daughter in law of late dictator Ne Win and ex UN Staff has said UNHCR has a plan to marry Rakhine women with Bengalis and create a new race in Rakhine for community reconciliation. So, be aware, our fella nationalists'

The use of gender-based violence used to target 'Muslim supporters' was also observed. Comments on a post include:

'She is Kalama (female Kala)'

'Maybe she has an affair with a young Kala and her husband doesn't know it.'

'An inferior woman. Vulture. Red dog.'

*'F**king asshole. Muslim supporter!'*

'Such person will destroy the race and religion'

Dehumanising references to animals or dirt were used to refer to Muslims.

*'Order them to go back. Kill these mother****rs dogs; We can't accept the comparison with other religion. Now Sitagu has warned the Government that used religious harmony as a tool to level off all religions. Buddhism is superior just like I phone is more expensive than Huawei. Our practices are different just like "perfume and excrement".'*

In these instances, Muslims were portrayed as being unworthy of Myanmar.

FINDINGS

'Rations and soil are precious and not for them.' Kala will speak what Kalas speak because they like it. This is Myanmar's issue and does not belong to you Kalas. If you like it, only you guys learn. You, Kalas can build your own Kala school and all of your race, Kalas will come and learn. We Buddhists cannot accept this.'

As news of COVID-19 spread, the language has evolved to also cover incitement of violence against suspected COVID patients and unknown individuals, particularly of Chinese origin. These statements come with photos of Chinese individuals.

'if you see this couple, just kill them.; If the Government is afraid, general public has to kill them.; This is a useless couple from Pateswe, Moegok township. If you see them, kill them.'

At the same time, fears of COVID-19 were used to reinforce existing discriminatory beliefs against Muslims and the Rohingya. The presumption of the Chinese as supposed carriers of the virus added to the existing narrative of Muslims as outsiders.

'Old man: Once upon a time Young man: I already knew it. Out of four places, east is where the sun rises, west is where illegal bengalis sneak in, and north is where the Phaut-Phaw[6].

Muslim communities were being scapegoated in the COVID-19 pandemic. The Ladies News posted sponsored content on its Facebook page to highlight Muslim religious events as hotspots of COVID-19.

While many of the examples of hate speech were more overt, in other posts, the incitement to violence was more subtle, and reiterated the purity of Myanmar's race and religion:

'For the race and religion, we have to do violence against the bastards if we must do violence. For our country, race and religion, we will sacrifice our lives to protect. All of the citizens, protect the race, religion and country by unity!'

[6] Informal term for Chinese

FINDINGS

In several cases, the National League of Democracy (NLD) is targeted as being the protector of Muslims and the Rohingya. This is presented as an argument not to support the NLD during the coming elections.

'I am going to talk a little about creepy government led by NLD. If you take a look at to what Daw Thet Thet Khaing, Daw Myint Myint San and Ma-U-Bin U Sein Win said when they resigned from 45-Members-Committee (in parliament).'

'The last record about ICCPR in parliament; and what ICJ decided on responsibilities of Myanmar's government, it is very sure that this country will be in riots. Make sure a vote of yours among many voters will protect the race and religion in 2020 general election.'

'The current government takes stockpiles of rice and oil and provide those to Bengali refugees, letting people die. Furthermore, it borrows international loans from any country buy does nothing. Every government steals. Anyway, stealing is forgivable. The worst thing is they are providing accommodation and job opportunities to Bengalis and letting them come in both legally and illegally, in order to eliminate the race of Myanmar one day. They are trying various ways to disappear Buddhism and to promote other religion.'

At least one post illustrates attacks against human rights defenders who are seen as 'protectors' of the Rohingya:

'Thet Swe Win and May Oo (a bitch) is there in this Kalar's photo. Remember their faces;'

Another post references a celebration of attacks against the Rohingya under the current NLD government:

'Out of achievements NLD have accomplished, the first one is NLD has managed to drive Rohingyas out of country.'

Majority of these posts are ordinary individuals. At least one of the posts is from a political candidate. Many of these examples are still available on Facebook as of the end of July 2020.

RECOMMENDATIONS

FORUM-ASIA acknowledges Facebook's efforts to promote policies to curb hate speech on the platform. These have included undergoing a human rights assessment impact report, hiring Burmese staff, creating an Oversight Board, providing data to the Fact-Finding Mission, taking down the Facebook accounts of military generals who spread hate speech and misinformation[7].

It has however been criticised for heavily depending on users to report cases of hate speech and dangerous speech and for 'overreacting' and taking down activists' accounts, as well as the accounts of the ethnic armed organisations in Myanmar, and in the process, restricting freedom of expression.

Civil society groups have also expressed the lack of meaningful engagement of Facebook with civil society groups, and for adopting steps that have backfired – such as pushing groups to migrate from Facebook to underground platforms.

Particularly in Myanmar, where Facebook is the Internet, Facebook should be aware of its unique position as a platform used by perpetrators of violence, as well as human rights defenders and the general public.

“

Particularly in Myanmar, Facebook should be aware of its unique position as a platform used by perpetrators of violence, as well as human rights defenders and the general public

”

[7]<https://www.reuters.com/article/us-myanmar-facebook/facebook-bans-myanmar-army-chief-others-in-unprecedented-move-idUSKCNILC0R7>

RECOMMENDATIONS

FORUM-ASIA recommends to Facebook to:

- **Ensure a specialised, culturally sensitive response**
 - **Instead of a one-size fits all response to cases of hate speech or dangerous speech on Facebook, Facebook should invest towards deepening its understanding of the local context, countering hate speech in local languages.** Facebook should also include local experts who can speak in Burmese and other ethnic languages, understand local dynamics and cultural context, and the use of language to disguise threats against minorities.
- **Ensure civil society participation through:**
 - **Engaging with civil society in the development of Artificial Intelligence (AI) technology and ensuring compliance to international human rights principles in the deployment of technologies.** Facebook employs AI and human review in moderating content. This has led to cases where speech has been arbitrarily removed or censored. Civil society should be allowed to participate, starting from the development of AI used to detect hate speech of dangerous speech (and where 'human review' decisions are fed into the AI).
 - **Establishing a Myanmar specific-advisory council or working group.** This should also allow Facebook to better understand the context of usage of words often used to incite hate, such as Bengali or Kalar / kala. Rather than imposing a blanket ban on certain terms, a more nuanced understanding of the context within such terms are used would ensure that the company does not stifle critical discussion of these issues.
- **Update and constantly reviewing community guidelines, including those on political advertisements and paid or sponsored content, with the participation of the Facebook Oversight Board,** and ensuring these guidelines do not limit discussion on sensitive topics. Facebook should also ensure regular communications about these guidelines, in all relevant languages (including non-Burmese languages).
- **Ensure transparency on the role and the impact of the Facebook Oversight Board,** as well as release of decisions made by the Facebook Oversight Committee, recommendations of the Committee and follow up actions by Facebook. The company should provide clear explanations in cases where they do not take up recommendations.

RECOMMENDATIONS

- **Ensure transparency over the conversion from Zawgyi to Unicode** [8]. Facebook should ensure that the machine learning (testing) process employed to convert Zawgyi to Unicode incorporates the experiences of local, cultural contexts, and that the development of these processes is continuously communicated towards its target audience, and that the local experiences and views are incorporated in this process.
- **Prioritise access to accurate and reliable information.** In a country where Facebook functions as the source of news, Facebook's technology & AI should be customised for it to prioritise access to reliable information, such as credible news sources, by ensuring these sources are easily seen /accessible.
- **Ensure transparency of Facebook's actions on preserving the integrity of Myanmar's elections within the platform.** Facebook's ad policy on Myanmar requires 'that any advertiser who wants to create or edit ads... that reference political figures, political parties or elections' go through an authorisation process[9]. While these may help prevent hate speech or dangerous speech, Facebook should ensure that these do not stifle crucial discussions on topics related to ethnicities and religious issues.
- **Invest in the development and the well-being of fact-checkers and content moderators,** including training on human rights and freedom of expression. Content moderators should also be provided regular psychological support.
- **Ensure easy reporting of Facebook posts, and providing customized feedback on the decision.** Instead of standard language on violation of community standards, Facebook can further customise its feedback to identify which aspect of the standards was violated.
- **Review the fact-checking model that Facebook has developed with its partners in Myanmar, and the decisions taken by fact-checkers,** to ensure that individuals involved in fact-checking do not hold biases against ethnic minorities or further discriminate against dissenters.

[8] Zawgyi has been the typeface often used to encode Burmese characters. Facebook is supporting the transition from Zawgyi to Unicode to better detect hate speech and disinformation

[9]<https://www.facebook.com/business/help/313752069181919?id=288762101909005>

RECOMMENDATIONS

- **The Facebook Oversight Board is in a position to introduce policy changes towards Facebook.** Aside from the recommendations noted above, which FORUM-ASIA hopes the Facebook Oversight Board can propose to the company, FORUM-ASIA hopes that it can raise awareness of the political and cultural environment in Myanmar that has allowed hate speech to spread undeterred, as well as the collusion of ASEAN governments on restricting freedom of expression in their specific countries.
- **Facebook should fully cooperate with the International Court of Justice in its investigation on the situation in Myanmar,** including through sharing evidence and data.

FORUM-ASIA and its members can support these actions, including through providing insights into the development of hate speech in Myanmar, and provision of freedom of expression trainings to content moderators.

FACEBOOK AND FREEDOM OF EXPRESSION IN THE ASIA PACIFIC

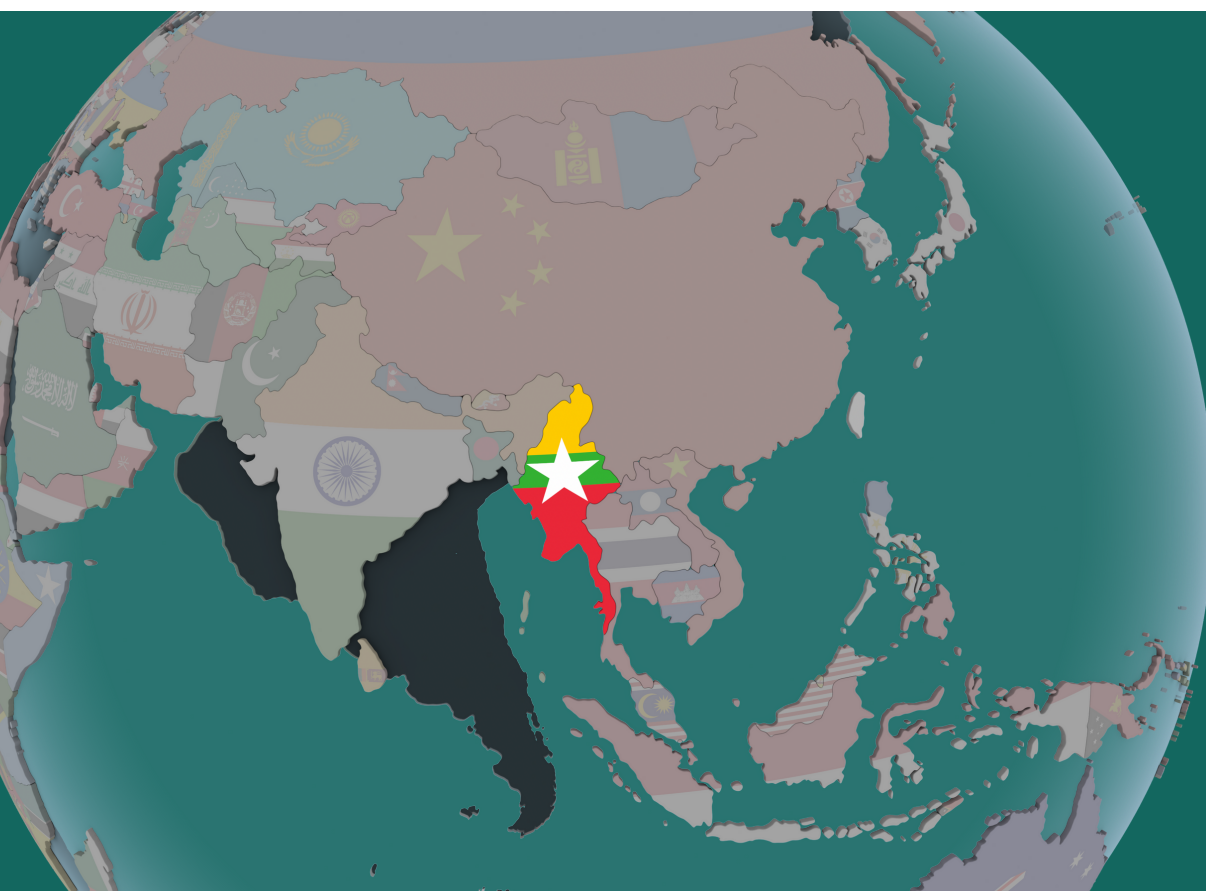
In the Asia Pacific, Facebook has increasingly cowed down to governments' demands to take down posts, pages or accounts that criticise government policies. In April this year, Facebook censored 'anti-state posts' in Vietnam, upon the government's request.[9] During the height of Thailand's protests in August, Facebook blocked access to Royalist Marketplace, a Thai group dedicated to discussing the monarchy.[10] Facebook in Australia has recently threatened to block Australians from sharing news, should the Australian government pass a draft law requiring digital platforms to pay for news content.[11]

These examples demonstrate how Facebook has been continuously used by governments to promote authoritarian policies that restrict freedom of expression. **Facebook should define the parameters of cooperation with governments, specifically prioritising the identity and safety of its users against arbitrarily influence or interference and applying international human rights standards in responding to governments' requests to take down posts.**

[9] <https://www.reuters.com/article/us-vietnam-facebook-exclusive/exclusive-facebook-agreed-to-censor-posts-after-vietnam-slowed-traffic-sources-idUSKCN2232JX>

[10] <https://www.theguardian.com/world/2020/aug/24/facebook-blocks-access-group-criticising-thailand-monarchy>

[11] <https://www.theguardian.com/media/2020/sep/01/facebook-instagram-threatens-block-australians-sharing-news-landmark-acc-media-law>



CONCLUSION

Hate speech in Myanmar reflects a deeply entrenched culture of violence against perceived outsiders. While the Myanmar Government has the primary obligation to address and resolve these issues, Facebook has the responsibility to ensure it does not become complicit in perpetuating violence against ethnic and religious minorities and in the culture of impunity in Myanmar.

It can do so by investing in its knowledge on Myanmar and its relationships with local stakeholders, constantly re-examining its decisions and ensuring transparency of its actions. Facebook should also deepen its understanding of the political environment in the Asia Pacific, and how governments collude towards restricting freedom of expression.



**“ Facebook should also
deepen its understanding of
the political environment in
the Asia Pacific, and how
governments collude
towards restricting freedom
of expression ”**

This publication has been made possible with the generous support of the European Union (EU), and the Swedish International Development Cooperation Agency (Sida).

The contents of this publication are the sole responsibility of FORUM-ASIA and can in no way be taken to reflect the views of the EU and Sida.



Sweden
Sverige