



**The third Myanmar Digital Rights Forum
Phandeeyar Myanmar Innovation Lab
18-19 January, 2019, Yangon, Myanmar**

Summary Report

MDRF`19 themes: Privacy, Freedom of Expression and Access, with a series of panel discussions featuring government, civil society and private sector participants, and open discussion with the audience.

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THIRD MYANMAR DIGITAL RIGHTS FORUM, 18-19 JANUARY 2019

[PHANDEEYAR MYANMAR INNOVATION LAB, YANGON](#)

Summary Report

The third Myanmar Digital Rights Forum (MDRF) took stock of the current state of digital rights in the country, learned from international experience, and engaged with stakeholders to identify advocacy and capacity-building priorities for action. The 3rd MDRF was co-organized by Freedom of Expression Myanmar (FEM), Myanmar Centre for Responsible Business (MCRB), Myanmar ICT Development Organization (MIDO) and Phandeeyar, and sponsored by the Embassy of Sweden and Heinrich-Böll-Stiftung Myanmar. The topics and format of the forum was shaped by different CSOs representatives and local human rights defenders across Myanmar with [all-inclusive approach](#). Previous forums were held in December 2016 and January 2018.

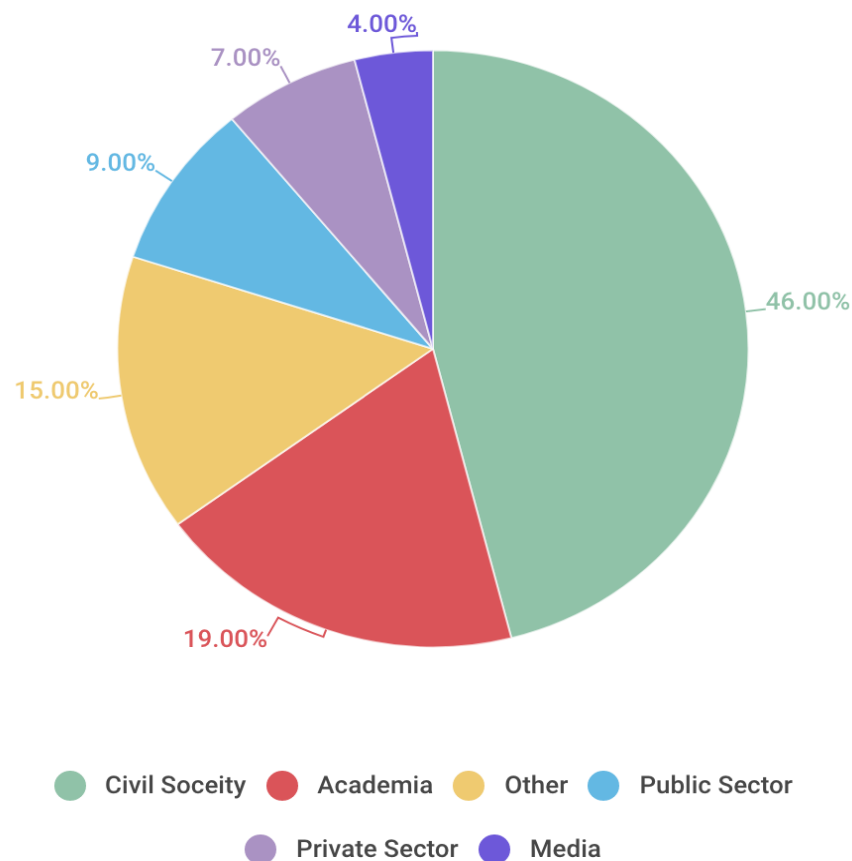


Figure 1 Representatives from six sectors. MDRF 19

This was the biggest forum yet, attended by approximately 250 participants (with a near even split between women and men) with many new participants (Figure 1). Only 15% of participants also attended in 2018. Those attending included senior government officials from the Ministry of Transport and Communication (MoTC), Ministry of Labour, Immigration & Population (MoLIP), Ministry of Information (MoI), and Ministry of Religious and Cultural Affairs (MoRCA), parliamentarians, civil society organizations, human rights defenders, journalists and tech sector businesses.

Opening Session

Opening the forum, the Permanent Secretary of the MoTC declared: *"The Government has been working to build a proper policy and regulatory framework to build e-government and promote the digital economy. In doing so, we will make sure that we will include voices of the people through public consultations in each step of it. At the same time, we have to protect free speech and users online."*



Photo 1. U Soe Thein the Permanent Secretary of the MoTC, MDRF 2019

Other keynote speakers included Staffan Herrström, Ambassador of Sweden and Swe Win, leading investigative journalist, and Editor of *Myanmar Now*. Swe Win described some of the challenges Myanmar journalists face in the digital age. These include the ongoing ‘judicial harassment’ he faces as a consequence of a defamation charge under Article 66(d) of the Telecommunications Law filed against him by a supporter of the monk U Wirathu, after he shared an article critical of the monk on his Facebook page. Swe Win also told the audience how he had observed the use of fake news (‘online misinformation’) and fake photos taken from Facebook in content taught at the main civil service training institutes at Phaunggyi and Sibingyi, which he had [recently covered for Myanmar Now](#).

Swe Win told MDRF participants: *“We have escaped the darkness yet, whilst beating a new path, we’ve lost our way. Good journalism uncovers realities and illuminates truth. Although we have been given the freedom to navigate in word, the hidden hands remain. Now more than ever, it is imperative that we make huge sacrifices to disseminate truth. Our drive for justice must not waver until governmental and jurisprudential institutions are both in place and committed to protecting us and to protect the truth. If senior civil servants are being force fed fake news from Facebook as part of their professional training, what hope is there for the government’s reform programme?”*



Photo 2 Swe Win a journalist, Myanmar Now, MDRF 2019

In a video message to the Forum ([transcript](#)), digital rights expert Dr Paul Bernal of the University of East Anglia in the UK, and author of [The Internet, Warts and All: Free Speech, Privacy and Truth](#) (Cambridge University Press, 2018) talked about how fake news is created to make money and manipulate, and how it can be written to be more believable than the real thing, and targeted on social media to ensure it spreads rapidly, particularly through sharing on Facebook. He identified two ways to tackle fake news: *“The first priority is to make sure that the real and reliable news exists to counter it, including through well-trained journalists. The second way to counter fake news is to improve privacy so that we can reduce the ability of Facebook and other social media to use big data collection and analysis to micro-target fake news and promote its spread”*.

Noting that both of these were challenges for Myanmar, which is particularly vulnerable to fake news, he encouraged people in Myanmar to spend less time on Facebook, so as to reduce its dominance including as a news source.

United Nations Special Rapporteur on Rights to Freedom of Peaceful Assembly and of Association, Clément Voule, spoke via [video message](#) to the Forum on his new report to the UN on digital assembly. He explained that the report will address the protection and promotion of the right to freedom of association and peaceful assembly in the digital era. Voule said, *“The aim is to identify the issues that are impacting the exercise of the right to freedom of peaceful assembly and association online, and provide normative guidance on how both public authority and the private sector can better ensure their protection.”*

Three Core Themes – Privacy, Access and Freedom of Expression

As in previous years, the MDRF had three core themes: Privacy, Freedom of Expression and Access, with a series of panel discussions featuring government, civil society and private sector participants, and open discussion with the audience. Panels included:

PRIVACY

- Developing E-Government in Myanmar: What are the Building Blocks of Building Trust?
- Strengthening Cyber Security and Fighting Cyber Crime: getting the principles and the framework right
- Data Protection: balancing convenience, privacy and security

ACCESS

- Women and the Internet: Promises and Perils
- Promoting Media Literacy Education in Myanmar
- Enabling the Disabled through Digital Solutions
- Community Networks: a potential solution to bridge 'last mile'?

FREEDOM OF EXPRESSION

- [Thumbs up] or [Thumbs down]? A review of free speech online
- "Shut up girl, it's too sensitive!"
- Is Facebook's content moderation working?
- Side session: The role of media self-regulatory-body in digital age.



Photo 3 Group photo, MDRF 2019

The discussions and stakeholder priorities identified in the Forum are summarized below.

Freedom of Expression	Privacy	Access	Digital Safety
[Thumbs up] or [Thumbs down]? A review of free speech online in 2018	Developing E-Government in Myanmar: What are the Building Blocks of Building Trust?	Women and the Internet : Promises and Perils	How the internet works
"Shut up girl, it's too sensitive!"	Strengthening Cyber Security and Fighting Cyber Crime: getting the principles and the framework right	Promoting Media Literacy Education in Myanmar	Communication Security
Is Facebook's content moderation working?	Data Protection: balancing convenience, privacy and security	Enabling the Disabled through Digital Solutions	Social Media Security
The role of media self regulatory body in digital age	Using online information to hold government and companies to account	Community Networks: a potential solution to bridge 'last mile'?	Law Making Process

Figure 2 Priorities Agenda, MDRF 2019

PRIVACY

All participants were polled on their view on the question: *'Has online privacy and security improved or worsened over the past year?'*

- 66% worsened;
- 26% stayed the same
- 8% improved.

Privacy in 2018

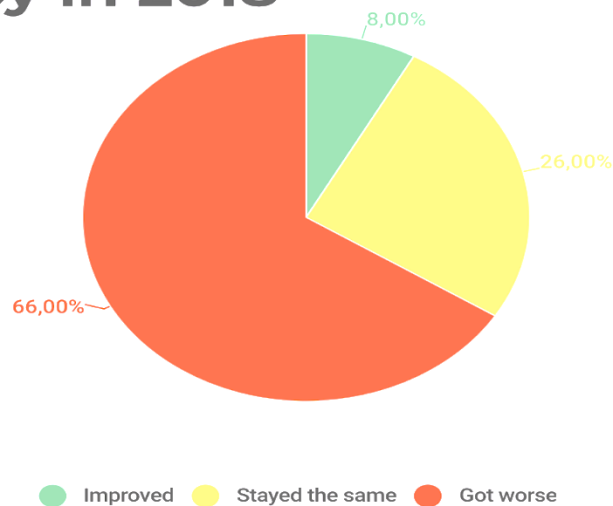


Figure 3 Poll-Privacy, MDRF 2019

They were also asked *'How should this be addressed in 2019?'*

- 66% regulation
- 22% user education (digital literacy)

Priorities for government to address to ensure privacy online in 2019

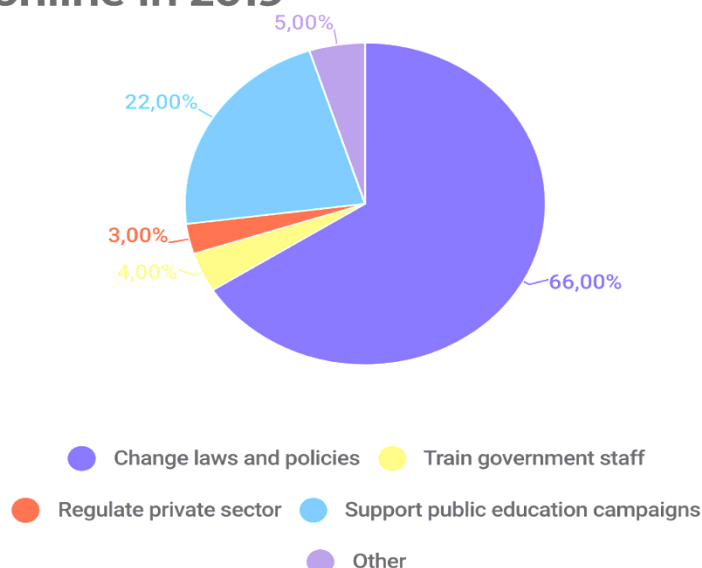


Figure 4 Poll-Priorities of the government to address, to ensure privacy online in 2019, MDRF 2019

Session 1 on ‘*Developing E-Government in Myanmar: What are the Building Blocks of Building Trust?*’ began with an overview from government officials of current digital initiatives. These encompassed the *E-Government Master Plan* which has three components:

- (i) Organizational structure, including an E-Government Department
- (ii) Laws, policies and guidelines
- (iii) A strategic plan

The Master Plan includes development of an integrated E-Government data centre supported by South Korea. [The Myanmar National Portal](#), developed with the support of the World Bank, and described as single point of access to find all information relating to the country and government was also presented.

Government plans for digital identification were discussed, including the pilot ‘smart card’ system which was described as having the same function as the current national ID card. MoLIP said they expected to have this system deployed and running as early as 2020. Other speakers emphasized the importance of having a very clear understanding and definition of digital ID, how the system will be built and what safeguards should be developed, tested and in place *before* developing a program that stores real personal data, since the consequences of a compromised system of this magnitude can cause irreparable and permanent damage to the country and millions of people. The Indian digital ID system *Aadhar* was highlighted as an example of what can go wrong and gave lessons for potential risks.



Photo 4 Panel Discussion, MDRF 2019

It was suggested that digital ID does not need to be all encompassing and instead could be better thought of as “ID stacks” – where different parts of the ID stack are used for different purposes – as in everyday life. Further issues raised were related to quality and standardization of the equipment used for these initiatives. Early cost-cutting without an understanding of the wider system may result in “technical debt”, where the legacy is a harmonization problem across different types of systems and hardware which in the end results in higher spending. It was recommended that Myanmar identify the right international standards for its planned systems first and to proceed cautiously rather than jumping into a digital ID programme.

Session 2 on *‘Strengthening Cyber Security and Fighting Cyber Crime: getting the principles and the framework right’* began with an overview from World Bank funded consultants to the Government on ongoing work to develop an overarching cyber policy and legal framework that will cover E-Government, E-commerce and Cybersecurity. This included a benchmark study comparing Myanmar to other countries in the region and the EU, and against international benchmarks, to identify the gaps that need to be addressed in the policy and legal framework. Another panelist noted that some countries such as Vietnam should not be used as a benchmark given their use of legislation for surveillance and suppressing freedom of speech, rather than for the purpose of cyber security.

Speakers also highlighted differences between cyber security and cyber-crime and questioned the choice of addressing both under a single piece of legislation. The variety of cybercrimes - cyber-dependent and cyber-enabled - should be identified; it is not sufficient to simply implement the recommendations and outcomes of the Budapest Convention without considering additional safeguards that need to be in place to protect online freedoms. The importance of Myanmar building on international standards was stressed. It should directly engage in international forums where cyber security standards are developed. Myanmar’s human resources in this area needed development.

Session 3 on *‘Data Protection: balancing convenience, privacy and security’* included a [presentation](#) from the government representative on plans for policy and regulation of data

protection, transfer and storage. Data protection challenges were highlighted, including the lack of a comprehensive data protection law in Myanmar and the lack of clear division of roles concerning cyber-crime. Panelists highlighted the importance of putting a robust Data Protection Law in place that is based on protecting users' right to privacy and imposes obligations on companies processing and using data. It was also noted that in the absence of legislation, data protection standards would be left entirely to companies, the only exceptions being the digital payments sector where there are financial services regulations issued by the Central Bank of Myanmar. Fraud in the emerging e-commerce sector was raised, and the need for a clear e-commerce legal framework. The absence of a legal framework for lawful interception was also flagged, accompanied by a recommendation that this be covered in the forthcoming legal framework to provide legal clarity. It was also highlighted that users have a clear responsibility to protect their own data. The privacy policies that companies have in place and the redress mechanisms offered also need to be clear.

Stakeholder Priorities on the Right to Privacy for 2019

The Myanmar government should

- Develop a robust cyber policy framework and separate laws on e-government, e-commerce, cyber security, cyber-crime, data protection and lawful interception that protect digital rights and replace existing outdated laws.
- Consult with other stakeholders including the private sector and CSOs in developing the forthcoming cyber policy framework and laws.
- Improve government capacity and effectiveness including by re-establishing a separate Ministry of Communications to handle ICT-related issues.
- Play an active role in promoting digital literacy.

The Pyidaungsu Hluttaw (Parliament) should

- Cultivate champion MPs who are interested in ICT matters and engage with them on the cyber policy framework and laws.
- Actively engage with citizens on digital rights priorities.
- Actively support government activities that promote digital literacy.

Civil society organizations should

- Coordinate and cooperate in providing CSOs' inputs into the forthcoming cyber policy framework and laws.
- Actively engage on advocacy on digital rights.
- Provide training on digital rights to MPs and government agencies.

The private sector should

- Raise public awareness of digital literacy.
- Disclose relevant and meaningful information on the company's impacts on digital rights and its interactions with the government on digital rights.
- Actively engage with the government and the civil society organizations on digital rights.

ACCESS TO INFORMATION AND THE INTERNET

All participants were polled on the question *'Has equality of online access improved or worsened over the past year?'*

- 78% improved
- 4% worsened

Equality of Online Access in 2018

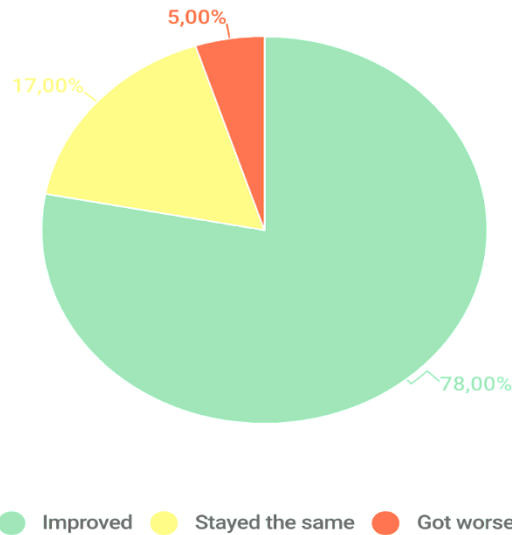


Figure 5 Poll-Equality of online Access in 2018, MDRF 2019

Priorities for improving equality of access were identified as:

- 47% reducing the urban-rural divide
- 27% support for ethnic languages
- 11% reducing inequality of access for persons with disabilities
- 10% addressing the gender gap

Priorities for government to address to promote greater equality of online access in 2019

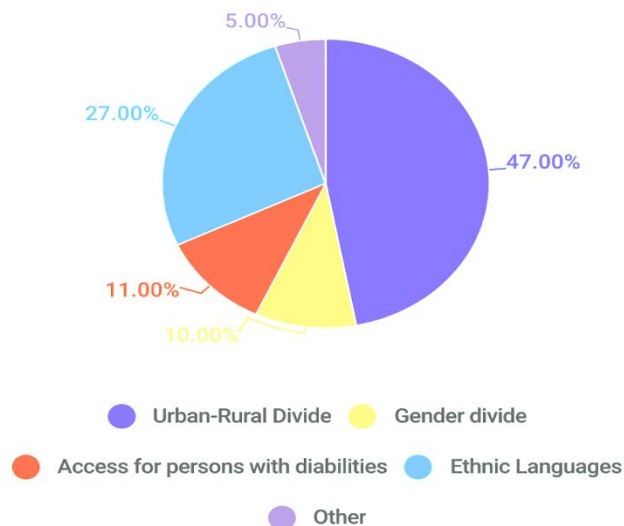


Figure 6 Priorities for the government to address to promote greater equality of online access in 2019, MDRF 2019

Session 1 covered ‘*Women and the Internet: Promises and perils.*’ Discussion showed the general lack of information on gender. For example, statistics state that over 90% of the mobile subscribers are internet users although there are no data that represent the gender ratio among the internet users. The panelists pointed out that the statistics also do not reflect the timely representation of the dynamic digital landscape and involvement of women in IT related professional fields.

The panelists further described that although the initial pricing of setting up mobile internet (i.e. pricing of SIM card) is within the affordable range of the public, the high incurring cost for internet data usage, lack of free time imposed by domestic and professional duties and non-availability of women focused content on the internet act as a barrier for the participation of women on the internet landscape of the country. ‘According to the Alliance for Affordable Internet (A4AI) standard, affordable internet is where 1GB of mobile broadband data is priced at 2% or less than the Gross National Income per capita (1 for 2’ measure). Although the initial pricing of setting up mobile internet (ie. pricing of SIM card) is less than 2% of the average monthly income, the data usage upkeep cost or the incurring cost of internet usage is not. The pricing for 1 Gb of data being 1,000 MMK pose a substantial burden toward those with basic salary, including women.

One of the challenges hindering women's participation on the internet are the risks threatening the safety of the women online - which are the result of the weak enforcement and non-availability of laws protecting women against harassment and online abuse. Most of the content online is in the Burmese language and little to none of the contents are available in local ethnic languages - contributing to the weak participation of ethnic women on the internet. It was recommended that integration of digital literacy programmes and curriculum in conventional state educational modules can address many of the issues stated above.

Session 2 on ‘*Media Literacy*’ included discussion by news related agencies, academics in journalism, government representatives and UNESCO, and addressed the media landscape on social media, particularly Facebook, the most accessed platform in Myanmar. The behavior of the public in assuming the contents on social media as news sources were emphasized.

It was highlighted that there are widespread existence of “yellow” pages or unaccountable and unverified news pages operated and administrated by local personnel. However, the public rarely realize that the pages are operated by personnel lacking capacity in journalism ethics, methods and standards. As the local populace and the general public also relies on the unofficial pages as news sources, it is crucial to train the administrators of the pages in media and information literacy. With the public’s take on social media and unofficial media pages on it as news sources, it becomes a challenge to distinguish between accountable and unaccountable media or imposter media. Multiple pages, including imposter sources, are engaged in widespread mis/disinformation in accordance with their own agendas from political and religious predispositions. Moreover, their reliance on advertisements as major income source also contributes toward lowering media quality in Myanmar. The panelists further described that the accountable media outlets have lesser outreach than the influencers and the unofficial outlets uploading unaccountable news pieces. The misinformative news pieces, designed to shock, appeal to the public with news contents claiming alarming situations, often have more outreach to the public on social media. The challenge is to induce change within the 20 million Facebook users in the country. The situation highlight that media and internet literacy (MIL) capacity building is critically essential for the public more than ever.

In terms of educational and training approach, the conventional media and information literacy (MIL) curriculums and programs were designed for adults, and will likely fall short to effectively address the youths of 20 years or younger. A more focused approach is needed in education and training of MIL.

The panelists further pointed out that there is the need for the curriculums targeting different types of audiences in Myanmar with the focus on “principles” such as individual freedom of expression online as well as respect for freedom of expression of others rather than focusing on “tools” such as video editing or photo verification. Curriculum localization is also needed to engage with different ethnicities. Moreover, the deployment of well trained and capable trainers to effectively facilitate media and information literacy training is also crucial.

However, panelists also warned that the attempt to address this kind of widespread misinformation by means of laws or regulation enforcement can either diffuse the situation or can backfire causing more complications as can be witnessed in some countries. Moreover, multiple occurrences of similar misuse of the law can already be found in some cases in Myanmar.

The panelists described that media literacy enhancement programs have gained momentum in the past 3 years and the topic is becoming a focal issue for multiple stakeholders. Media literacy and misinformation related issues in Myanmar may be unique in some aspects so it would not suffice in the situational context to merely verify disinformative news pieces. Because of the public’s widespread behavior in acquiring information from social media, actors are effectively using social media to push their own political agendas on sensitive cases to cause communal distrust. Moreover, the forming of echo chambers resulting from the transition of the public from media consumers to effective mediums also highlight the importance of MIL enhancement in Myanmar.



Photo 5 Panel Discussion on Enabling the disabled through digital solutions, MDRF 2019

Discussion in Session 3 on *'Enabling the disabled through digital solutions'* centered on requirements for the inclusion of accessibility features for persons with disabilities. The discussion revolved around the daily struggles and inconveniences encountered by persons with disabilities (PWD) in Myanmar and the lack of inclusion for PWDs in many aspects.

It was pointed out that there are over 2.3 million disabled persons in Myanmar, a substantial proportion of the population. However, the basic institutions, establishments, facilities and infrastructure largely lack the features for the accessibility and the inclusion of PWDs in Myanmar. Public transportation, shopping centers and public facilities are required to facilitate accessibility features for the ease of PWDs. For example, accessibility features such as voice automation and closed captioning are integrated in some vehicles of the Yangon Bus Service for accessibility of PWDs. However, such systems are not integrated in all of the vehicles. And some of the commercial establishments are found to have removed the voice announcement system features from elevators. The panelist pointed out that the National Building Code of Myanmar dictates the inclusion of accessibility features in buildings for PWDs. The code requires that accessibility features such as voice announcement and automation in elevators, hydraulic lifting mechanism for wheelchair bound citizens and automated door systems should be incorporated for the accessibility of PWDs. Current technology support the accessibility features in smart phones with screen readers, text-to-speech functionalities and GPS integrated walking canes for visually impaired persons. However, these kinds of accessibility-focused technologically integrated tools are not accessible for PWDs in Myanmar due to lack of technology and funding.

Environments designed for normal persons are a serious limitation for the inclusion of PWDs. Moreover, stereotypical views regarding the PWDs with visual impairment as limited to professions such as massage therapists and singers are also apparent in Myanmar. With existing

limitations for PWDs in the physical world, it is crucial to formulate and establish an inclusive digital world for them.

State and government websites also fail to comply with the W3C guidelines from the Web Accessibility Initiative. Accessibility features of W3C guidelines such as screen readers and closed captioning supports should be compiled with on digital platforms. Universal access is an important factor to be regarded and integrated in digital solution and web solution implementation. Universal Access Strategies of 2018-2020 by Ministry of Telecommunication (MoTC) has to be implemented in practice to formulate and establish accessible digital platforms for PWDs, including children. Associated institutions and organisations need to advocate for the implementation of the strategy by the government and relevant establishments.

Even though Myanmar ratified the Convention on the Rights of Persons with Disabilities in December 2011, the implementation is lacking. Implementation of developed strategies by the government as well as public awareness campaigns and strategies such as tax benefits and incentives for companies developing technological solutions for PWDs (Vietnam is a good example in this regard) are crucial.

Session 4 discussed the topic of *‘Community Networks: a potential solution to bridge ‘last mile’?* This panel discussed how community networks are performing as a bridge connecting the unconnected. A community networks expert from Digital Empowerment Foundation lead this session and shared her knowledge on how community networks can contribute to the community and the limitations of implementing those networks. She states that the phenomenon of “Digital Divide” or the unequal access of internet among the geographically, socially or economically different groups, or among the rural and urban population is found in developing countries such as Myanmar as well as in developed countries. She gave examples of addressing the challenge via establishing community networks especially in South American countries and in India. The strategy is to mirror the network from the nearest mobile network towers with WIFI routers as an attempt from the communities to acquire internet connection.

Although internet and mobile coverage had dramatically improved in Myanmar, remote areas such as rural parts Kachin and Chin state and some others are not facilitated with mobile and internet networks. Perceived lack of commercial viability has made accessibility to the internet convenient only in large cities. Connectivity in India also shares similar characteristics. Easy assembly and installation of the equipment and ease of configuration of a community network system makes the strategy viable.

However, community networks systems also feature certain difficulties in many countries especially due to regulations that limiting the use of spectrum network to licensed operators. License-free spectrum usage is allowed for community development in Mexico and India - a sound legislative example that Myanmar can adopt to mitigate the digital divide and pave the way for rural development.

Stakeholder Priorities for 2019 on Improving Access

The Myanmar Government should

1. Establish a channel for women to raise cyber harassment and cyber bullying issues.
2. Integrate digital literacy related capacity enhancement programmes in conventional education curriculums.
3. Conduct government initiatives in MIL (media and information literacy) enhancement programmes.
4. Make internet accessibility in remote areas a priority.
5. Maintain affordable prices for internet data use.
6. Establish ICT infrastructure.
7. Implement regulations, guidelines and policies for the improvement of e-Governance.
8. Conduct public consultations with civil society organizations in technology related legislation.
9. Carefully consider the impacts of policies upon beneficiaries such as PWDs women, children and ethnic minorities at every stage of policy development and implementation.
10. Initiate a spectrum sharing policy for community networks to facilitate access to backhaul infrastructure at fair rates and the use of unlicensed spectrum through innovative licensing.

Civil society organizations should

1. Advocate for the implementation of the the Convention on the Rights of Persons with Disabilities, including in the digital space.
2. Raise public awareness regarding technological related solutions for PWD.

The private sector should

1. Produce applications, which are designed to empower lives of PWD.
2. Initiate programs which aim to improve PWD's access to technology by using technologies such as Artificial Intelligence.
3. Enhance accessibility and affordability of mobile applications for PWD.
4. Include ICT related RBC activities in public private partnerships.

Outside the Access panels, there was also a discussion on *'Using online information to hold government and companies to account.'* This discussed legal requirements to fully disclose information about investment laws, company laws and Environmental Impact Assessments (EIAs). The MyCo website initiative was praised for disclosing information on private, public, foreign and domestic companies with directors' names, although privacy considerations should apply to disclosing full ID details (since addressed by DICA).

Regarding EIAs, there is a dual obligation for companies to publish their EIAs online and for the government to do so, which was not happening in most cases. Another highlighted point was the need to use open data standards for data to be searchable online and to compel companies to comply. Moreover, it was also highlighted that, under Rule 196/199 of the Myanmar Investment Rules, companies with a Myanmar Investment Commission (MIC) Permit are obliged to publish an annual report on how they have conducted their business

responsibly. However very few are aware of this obligation or do so, and the MIC is not currently enforcing it.

There was a presentation outlining the current state of open data and accountability. Some new technology interfaces were demonstrated which can help people to understand parliamentary processes such as passing bills, and annual budget related information to bolster government transparency. It was also suggested that further technology use in areas such as facilitating the input of CSOs who are not able to directly discuss matters in parliament should be adopted.

The absence of progress toward the establishment of a Right to Information (RTI) Law was raised. In this case, CSOs raised issues during the consultation period on the Law, including the clash between the right to access information and the Official Secrets Act, requesting that it must be possible to overrule restrictions on information through a freedom of information request. Furthermore, it was noted that discrepancies existed between the version agreed through a CSO preparatory process and the version that was submitted to Parliament by the Ministry of Information/Cabinet. Progress on obtaining a Right to Information Law should be pursued in 2019.

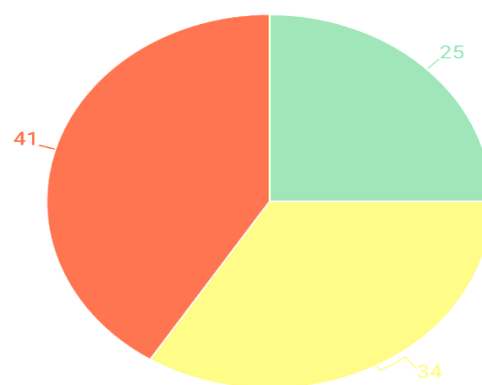
Regarding general access to information it was highlighted that many obstacles still exist and there is a widespread lack of knowledge on how to obtain information which is available. It was also stressed that action should be taken if there is a failure by Ministries to meet their statutory obligations to provide certain information (e.g. submitted EIAs). The audience raised questions about the timeline for the zero-draft for the RTI, the definition of public information and how relevant news can be better conveyed for PWD such as in sign language.

FREEDOM OF EXPRESSION

All participants were polled on the question ‘Has online freedom improved or worsened over the past year?’

- 41% deteriorated
- 34% no change
- 25% improved

Freedom of Expression in 2018



● Improved ● Stayed the same ● Got worse

Figure 7 Poll-Freedom of Expression in 2018, MDRF 2019

Priorities for action were

- 58% improved regulation
- 24% public education
- 11% capacity building for government

Session 1 was titled *‘[Thumbs up] or [Thumbs down]? A review of free speech online in 2018’*. The panelists consisted of advocacy groups, government representatives and

Priorities for government to address to ensure FoE online in 2019

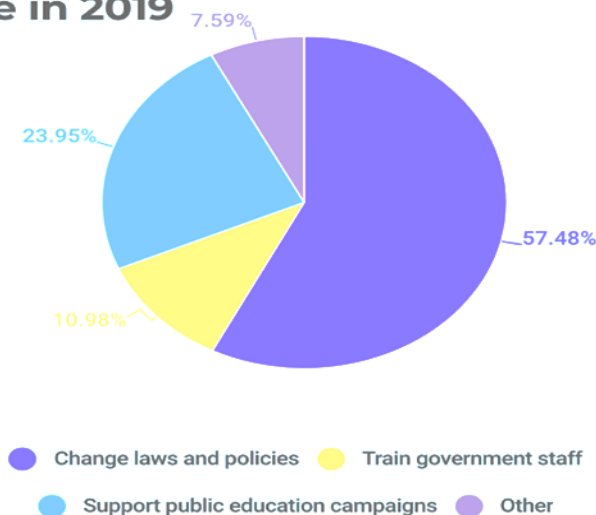


Figure 8 Priorities for government to address to ensure FoE online in 2019, MDRF 2019

technologists. This session highlighted occurrences of stifling free speech and expression. This included a number of laws that are being used to repress internet freedom, including the new Citizens Privacy and Security Law. It was also mentioned that violations in internet freedom are not unique to Myanmar but are exacerbated by the transitional process and a lack of media literacy. CSOs were encouraged to be vigilant about abuses of governmental power and to address disinformation. It was stressed that law reforms continue to be very weak, green papers are non-existent, and the government holds very few consultations with civil society on these matters.

Session 2's title was *‘Shut up girl, it's too sensitive!’* and the panel consisted of gender related advocacy groups, parliamentarians and CSOs. This discussion followed the launch of a report, [“Daring to defy Myanmar’s patriarchy”](#), and centered on human rights defenders. It was stated that all human rights defenders face risks but women human rights defenders also face gender-based violence too, particularly those working on so-called “sensitive” gender issues. Moreover, risks faced by women human rights defenders are exacerbated by Myanmar’s culture of patriarchy, militarization, and religious extremism. Women human rights defenders and politicians face gender-based attacks when they speak out online, including harassment and abuse, usually sexual in nature. Despite all of this, there has been no progress on a draft Violence Against Women Law which has been languishing within government.



Photo 6 Panel Discussion, Is Facebook content moderation working?, MDRF 2019

Session 3 asked *‘Is Facebook’s content moderation working?’* The panel included representatives from Facebook, civil society, Ministry of Religion and the UN. Marzuki Darusman, Chair of the UN Fact Finding Mission for Myanmar, who spoke via [video message](#) about Facebook’s response to hate speech in the country. Facebook explained that it had updated its policies and recruited Myanmar staff, and engaged with Myanmar civil society to better understand the context and the needs. It was also stated that content moderation is not yet smart enough; on the one hand certain duplicated materials are left online, on the other, legitimate journalistic content is removed simply for being incorrectly picked up by algorithms. Facebook has reached out to civil society, but needs to ensure inclusivity as much as possible, so that it does not only engage with a few groups. Finally, it was noted that the government is getting closer to direct regulation of social media, but this would be a negative development which requires the vigilance of so civil society.

Session 4 was the side session of Myanmar News Media Council on the topic of *“The role of media self-regulatory-body in digital age”*. The discussants highlighted the challenges of “fake news” and “rumor” by online media that have accompanied digital and technological development. The important role of media self-regulatory body was highlighted within the discussion, and potential ways to handle “fake news and rumors” distributed either intentionally or unintentionally by digital media outlets were key takeaways for the council members. More importantly, the participants pointed out the legal pressure from the state, which further emphasised that meaningful legal reform is crucially needed.

Priorities for Freedom of Expression for 2019

The Myanmar government should:

High Priority

- Enact a Right to Information Law
- Decriminalize defamation
- Consult on the Anti-Hate Speech Law widely, and guarantee the right to freedom of expression by implementing the recommendations of Rabat Plan of Action

Medium priority

- Improve public consultation on future reforms, and make more specific proposals for reforms
- Engage more with Facebook
- Develop a data protection law
- Expand internet access for underserved groups
- Increase digital literacy

Online Resources

Myanmar Centre for Responsible Business

<https://www.myanmar-responsiblebusiness.org/dialogues/digital-rights-forum/>

#SayNOto66d

<https://www.saynoto66d.info>

Ananda

<https://ananda.com.mm>

Free Expression Myanmar

<http://freexpressionmyanmar.org>

Myanmar ICT Development Organization

<https://www.apc.org/en/member/myanmar-ict-development-organization-mido>

Phandeeyar

<https://www.phandeeyar.org>



Photo 7 MDRF 2019 Group