LOCAL EFFORTS TO INFLUENCE GLOBAL LEVEL POLICY AMID COUP: THE CASE OF FACEBOOK IN MYANMAR

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Introduction

People in Myanmar are weary of hearing the phrase - Facebook is the internet, with over 20 million users on the platform, utilizing connectivity and reading news from the site and selling online shops to government announcements on the platform. Facebook's complicity in contributing genocide of Rohingya Muslims and various interventions by different stakeholders were being done to combat the spread of propaganda, hate speech and organized violence. These range from the social media platforms themselves to the responses by the civil society organizations and activists. After the coup of 2021, various stakeholders such as the military junta, the shadow government, the National Unity government, and democracy activists are trying to use Facebook as a platform for their purposes, such as information operation, surveillance, revolution, resistance, coordination and fundraising. The platform has tried to respond to the coup as a part of its accountability and responsibility. Pro-democracy activities try to be involved and influence with their beliefs and strategies in platform policy making. However, there are still challenges, gaps and issues in balancing Global Community Standards and local country-context understanding level and addressing the situation.

Platform Responsibility and Accountability

The platforms are referred to as "the custodians of the internet", given how they hold the power to set rules and regulations such as terms and conditions to use their platform and community standards that determine which content should stay and will be removed from it (Gillespie, 2018). Important questions are how to balance distributing people's voices with their free expression and when to limit and block for a safe environment, who should decide these policies and make enforcement decisions and who should hold these people responsible and accountable?

Here, another aspect comes in how the platform should govern and who should be responsible.

In his "Blueprint for Content Governance and Enforcement" reportMark Zuckerberg argued that individual companies cannot or should not be handling human rights issues and public safety on their own. However, social media companies cannot permanently hide behind their claims that they are just individual companies and do not have responsibility for the content regulation on their platform (House of Commons, 2019).

As the importance of social media platforms continue to rise, they also have a greater responsibility to moderate user-generated content and provide transparency for content moderation around the decisions they make to enable accountability. The Santa Clara Principles recommended having content policies for platforms and enforcing their content guidelines, and that enforcement should be fair, unbiased, proportional, and respectful to users' rights.

A belated awakening

For five decades, Myanmar was disconnected from the outside world during its military regime. Myanmar embarked on its transition in 2011, from a totalitarian system to democratic governance, from monopolized and centralized economy to market-oriented reforms (Norbhu, 2015). After the telecom sector reform in 2013, the country's internet infrastructure developed. People in Myanmar suddenly gained access to the internet, skyrocketing from a controlled information environment to

information overload on the internet. Facebook became the de facto information provider in the country, dominating the Myanmar internet ecosystem among digital platforms (Dowling, 2019). One study in 2017 shows that 38 percent of users got news from Facebook (IRI, 2017).

Since 2013, Facebook has become a powerful platform harnessed by Myanmar's military for propagating nationalism and extremist religion in Myanmar (Rio, 2021). United Nations Independent Fact-finding Mission report stated that Facebook has failed to detect the spreading of hate speech and disinformation in the 2017 Rohingya crisis (OHCHR, 2018). Facebook has been an absentee landlord and has not acted until 2018 despite all the escalated incidents on its platform. In a 2018 vox interview with Mark Zuckerberg, he claimed that their system in 2017 September detected hateful messages from Myanmar sent out in messenger and blocks before its amplification. (Klein, 2018). After that interview, Myanmar Civil Society Groups sent "an Open Letter to Mark Zuckerberg' in 2018 April, saying that it is not the system which detects sensational messages but that civil society and activists from Myanmar found and escalated themselves (Kirby, 2018). After Mark Zuckerberg April 2018 admitted that Facebook had been delayed in response to the abuse and weaponization of its platform in the US Congress, the company ramped up its response by hiring a dedicated Myanmar public policy team and engaging with various stakeholders, including the government, media and civil society organizations.

In 2018 November, Facebook commissioned Business for Social Responsibility (BSR) to produce an independent assessment of the human rights impact of facebook in Myanmar under the UN Guiding Principles on Business and Human Rights (BSR, 2018). The Myanmar policy team introduced and developed country-specific policies and product-based solutions based on the Human Rights Impact Assessment (HRIA) report's recommendation, including setting up an emergency escalations system, enforcing content moderation and localization, hiring more proactively detecting threats from the platform, rolling out transparency reports and prepared election specifics measures and policies for 2020 general elections between 2018 and 2020.

2021 Coup d'état

When the military seized power on February 1st 2021, they instantly shut down the internet and mobile networks to control the information from social media, which could lead to public mobilization and protest against dictatorship. The irony is that, at the same time, the military junta continued to use social media and digital platforms as a part of the coup regarding information operation, surveillance, coordination, and fundraising. Despite strict internet restrictions and several cuts, people in Myanmar use social media to share and update information, organize protests, and fundraise for revolution (Min, 2021). Facebook announced a set of rule specifics to Myanmar's response to the coup

as a part of their accountability and responsibility among social media platforms. They said they would treat the country's situation as an emergency and do everything to prevent it from being linked to offline harm. (Frankel, 2021).

Facebook's specific policies and measure For Myanmar After Coup

On February 11th 2021, Facebook announced specific policies and measures focusing on the Myanmar coup based on existing globally applicable standards (Frankel, 2021). The specific measures they put in included as follows :

- reducing the distribution of all content on Facebook pages and profiles run and controlled by the Myanmar Military in line with Facebook's global policies on misinformation,

- Suspending Myanmar government agencies' request for content removal Facebook

- Detecting Coordinated Inauthentic Behavior of the bad actors with the combination of manual and automation system

- Providing extra protection for journalists, civil society activists, human rights defenders, and political leaders to prohibit online threats to them and any Facebook users in Myanmar who fear detection of

their Facebook accounts and data from unauthorized access.

- Proactively removing content that violates community standards especially hate speech, bullying and harassment and misinformation that can lead to physical harm.

- Reducing misinformation claims that there was widespread fraud or foreign interference in Myanmar's general 2020 election.

Following the first announcement, on February 24th 2021, the platform updated the banning of the Myanmar military from Facebook and Instagram with immediate effect based on several guiding factors such as the history of on-platform content and behavior violations and incitement to violence online that could lead to offline harm.

As for the third announcement on March 31st 2021, Facebook introduced a Product-based solution, a new safety feature called profile lock for Myanmar. The feature allows a Facebook user to lock the profile and apply an extra layer of privacy settings in one step. Non-friends of Facebook users cannot see photos and posts from the timeline once users set the profile lock feature.

For the fourth measure and policies updated on April 14th 2021, Facebook implemented a country-specific policy on its platform to remove, praise and advocate violence by Myanmar security forces and protestors under coordinating harm and publicizing crime policy. For the last update on December 7th 2021, they expanded their ban on military-linked businesses, and they will remove pages, groups and accounts representing military-controlled and related businesses.

Measuring policies' effectiveness

De-platforming the military junta and their related businesses and recognizing them as bad actors by the platform jeopardizes military legitimacy. It is the most vigorous action taken by the platform against those in power in the nation. Facebook solidly sided with the pro-democracy movement in the country, and it indeed reduced military ongoing information operations such as propaganda, misinformation, and disinformation.

Facebook closely works with different stakeholders and responds promptly regarding security of human rights defenders, journalists, civil society organizations and resistance forces on their platform from unauthorized data access by the military security forces. A new security feature called profile lock is helpful for social media users, especially in adjusting privacy settings and preventing doxxing private information by pro-military intelligence.

Local groups trying to influence the platform decision

In the case of many developed countries, when the public government is weak and fails to act in public interests, private and professional institutions can commit to serving the quality of life and opportunities for the public. These institutions ranging from non-profit organizations to transnational corporations can shape the governing process (Rudder, 2008). The phrase "public policy" exclusively refers to policy making by the government that has been limited in the policy arenas. In the late 1990s, Scholars have witnessed private actors such as civil society organizations and business corporations exercising political power in decision making and providing public goods by addressing collective-actions problems without being incorporated with governmental institutions (Obo, 2017).

In the country scenario of Myanmar, State Administration Council (SAC) might be the highest level governing body instituted by the military junta. Nevertheless, the decision-making level and legislation mechanism will be a shell entity since SAC themself are leading and violating human rights abuses (Tun, 2022). The shadow government, National Unity of Government, established with a group of elected members of parliament from the 2020 general election and lawmakers ousted by a military coup in 2021, cannot make legislation

mechanisms to prevent citizens from harm and give government services. Local civil society organizations, journalists, activists, and international non-governmental organizations in Myanmar becoming the key players to influence the policy making process of the private sector like Facebook platform.

As part of their strategy of "Bringing local context to Global Standards", Facebook has had a trusted partner network in Myanmar even before the 2020 general election preparation. They have a regular meeting twice annual for existing policy review with the partners and to get suggestions and feedback in some areas to improve. Moreover, the Facebook Myanmar policy team constantly engages with Myanmar's different civil society organizations based on their focus areas and interests through email, video conferences, and personal meetings. Local civil societies groups are always trying to advocate as part of their strategies to the company policy team's lack of contextual understanding amidst the current changing political situation and get free and open online space for diverse political discourses on Facebook.

Outstanding Problems need to be solved

Even though Facebook set a set of policies, recidivism issues still occur. News Pages, accounts and problematic content posts that violated Facebook community standards and specific

policies set after the coup are back on the platform and still left to be removed by the platform (Global Witness, 2021). Local understanding and linguistic contextual consideration always need to be leveraged, and the platform's systems need to detect those kinds of content again on the platform.

Recommendations

To be a better response system in balancing Global level standards and local country level, following are recommended for Facebook and local civil society organizations:

To Facebook Platform:

1. **Continue engaging with local civil society**

   Facebook needs to maintain a current relationship with its trusted partner network through different channels and expand to wider local civil society networks to understand the complex political context. The platform should put a place for local groups to voice out and listen carefully to their needs and put effort into giving sustainable solutions instead of giving out window-dressing solutions.

2. **Regularly audit and continuously improve country-level policy enforcements**

   Setting policies will not be enough, and enforcements need to act under policies.

Facebook should conduct regular audits of its content moderation from human viewers and automation process with independent third-party organizations like the Facebook oversight body to improve country-level policy enforcements.

3. **Contextualize policy depending on situational changes**

   The country is currently at the revolution stage, and the situation is critically tricky, both politically and democratically. Global level Facebook community standards need to be applied locally and contextualized with local meaning. For example, fighting for freedom of their ethnicities and defining terrorism by the state need to be clarified.

4. **Scale up efforts to address systemic issues on platform**

   Facebook should invest more resources to detect and investigate coordinated inauthentic behaviors of bad actors and their problematic contents on its platform. The platform should invest in developing detection systems such as automation processes.

5. **Perform human rights due diligence process as necessary**

Companies should perform and abide their due diligence respecting human rights and heighten the due diligence process during politically sensitive situations in countries like Myanmar.

To local civil society organizations:

1. **Create systematic documentation**

Civil society organizations should create systematic documentation that could outline and highlight the trends and cases of different platform issues for evidence-based advocacy.

2. **Advocate other emerging social media platform companies to be more accountable with similar strategies used in Facebook**

Since the military junta is banning several websites, including Facebook, internet users in Myanmar are shifting and integrating to other emerging social media platforms like TikTok, Twitter and telegram. Local civil society should work together and collect evidence that violates human rights from those platforms and engage with similar strategies used in Facebook platform advocacy.

3. **Partner with external actors**

Create partnerships with different actors such as Media, academia through the advocacy process. Facebook as a company relies heavily on their brand reputation and also being a public company, it is important that they have good PR. Thus, working the actors i.e., the Media to investigate and report on their operations could contribute to the platform being more responsive and accountable.

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