Identity, harassment and rights online: Myanmar

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LIRNEasia
Pro-poor. Pro-market.
Myanmar: High Internet use Economy (and ICT sector) recently liberalized

- Even 2 years ago (in 2016)
  - 61% of people 15+ owned a phone
  - 80% of these phones were smart phones (similar to USA levels)
  - 50% of the population above 15 yrs. was using the Internet
  - Internet = Facebook, chat/messaging

- Today much higher levels of Internet use
  - 19 million Facebook accounts in 2018; 60% access daily
  - FB is 85% of Internet traffic in the country

- Majority Buddhist
  - Significant anti-Muslim sentiment

- Bamar the largest ethnic group; Shan next biggest
  - But over 100 ethnicities
Access under conditions low-skill. Many didn’t even know Facebook had an account

- FB account opened by the phone retailer
- Pre-subscribed to follow Myanmar or Thai “celebrity” accounts
- Password known to retailer
- Many thought phone password was FB password during interviews
- Repeated hacking by same hacker, repeated payment of ransom

Digital skills (% of mobile handset owners)

Q: Can you please tell me, which of the following activities you have ever done on your mobile or on the Internet/online, and for each one, whether you have done it by your self, or with someone else’s help.
Base: Mobile handset owners

Source: LIRNEasia’s Nationally representative survey in Myanmar, 2016; 8,000+ face to face interviews
In this context, how are people navigating the “new public sphere”, specially vis a vis negative experiences

- What’s the online experience of Myanmar users?
- Do negative experiences (experienced or perceived) impact their online participation? How?
- What does the role of speech and participation online play in a climate of ethnic tension, political persecution?
Methodology: online survey (from representative panel) + focus group discussions

Qualitative
- 97 respondents
- Focus group discussions and in-depth interviews in Yangon, Mandalay, and Kachin
- Special focus on marginalized groups (women; LGBTQ, Muslim, non-Bamar ethnicity, range of political views)
- August-September 2017

Quantitative
- Online survey sourced from Kantar TNS “Connected Life” panel that is representative

Timing:
- Field work delayed due to start of Rakhine region riots.
- Refugee crisis + curfew in Rakhine → Inability to travel to the region safely
- Kachin chosen as region outside Yangon
- Selected Rakhine respondents living in Yangon
FINDINGS
74% of social media users reported a “negative” experience online.
A range of negative experiences: “inappropriate” messages, having personal information revealed, financial fraud, being stalked, being physically threatened, being impersonated.

- Ranging from actions that may be/should be illegal (identity theft)......

- To speech that possibly should be protected (causing “offense”)

**Type of harassment (% of respondents who faced online harassment)**

- Received inappropriate messages: 68%
- Had threats to post personal information online: 16%
- Been misled for financial, emotional or sexual abuse: 6%
- Received hostile comments: 6%
- Been stalked online: 5%
- Been called offensive/degrading names: 4%
- Had threats to post defamatory information/photos: 3%
- Been physically threatened: 3%
- Been impersonated online: 3%
- Had defamatory information/photos/videos posted: 2%

Base: n=300
Types of harassment: men mostly talked of accounts being hacked and paying a “ransom” to recover the password

- I got hacked before. The worst thing about that case was that the hacker uploaded photoshopped pictures of me and some other girl. It was based on the old picture I posted where me and my girlfriend were in it. But the photoshopped one has a different girl. *Therefore, I tried to talk with the hacker through chatting… He asked me to pay 5000 kyat for his phone and when I did that, I got my account back again.* - Male, 22, SEC A, Yangon

- *I was hacked and [the hacker] ask money from my friends.* They thought it was me and they gave money. Then I use my official account and post that That Old account wasn’t me. I ask for help to share. One of my friends gave 3 lakhs kyats to bank and the hacker use that money. I didn’t know that. Once my friend asked me back money, I just know about that. It wasn’t me. Then I explain my account has been hacked. Male, 22, SEC A, Yangon

- Happened repeatedly sometimes

- Range of “ransom” payment USD 3.7 – USD 75 (MMK 5,000 – 100,000)
Types of harassment: women faced “shame”, often on gender-specific matters

• [The] local gynecologist from a Facebook group on pregnancy and maternity wrote on my wall: “This person wants to become pregnant. If anyone would like to volunteer in making her pregnant, please let us know” and he tagged my name on that post. I cried the whole day after I saw that… I couldn’t believe he is a gynecologist.

  Female, 35, SEC C, Yangon

• A friend of mine likes to wear trendy revealing clothing, and her pictures are used by people with bad intentions. Through the messenger, they threaten her by using pictures of her. They said they will change it into pornographic picture, unless to pay the phone bills and stuffs. She got that a couple of times.

  Male, 28, SEC A, Yangon
Self censoring expression as a way to avoid being harassed. Specially by women and specially related to images

“I have heard that it is easier to make a Photoshop out of the full body images. That’s why I also upload pictures that don’t reveal my full body”
Female, Yangon (IDI5)

“I think rather than taking actions after things happen, it is better to take precautions.”
Female, 26, SEC B, Yangon (R2.5)

“It is pretty rare that a full body image pictures are posted. Maybe just my head or only the upper part of my body…I have heard that it is easier to make photoshop out of full body images”
Female, Bamar ethnicity, 25 yrs.

“I didn’t use my real photo because the people with different opinions in politics can target me and threaten me. I also afraid of Photoshop and the people who can put pressure me.”
Female, 26, Social influencer, Yangon (IDI5)
Few seek help of the law: Power, connections, resources determine access to justice

“..They posted that photoshopped picture of mine on a different page… I tried to report it to the police… but their parents were government workers who have an authority. Thus, the policemen stood up for them and encouraged me to just forgive them. What else I could do? I decided to let it go.” [Female respondent, Yangon]

“Police is useless because they can’t even solve the crime in the real world. They are not qualified. What we can do is just that we can told to the police”. [Social influencer, female, 26]

“I wouldn’t want to [report it] because I’m scared of going to jail. And people would look at me and know about me... I wouldn’t like going to the court either and I wouldn’t want to meet with police and the judge. I would feel suffocated to meet them.” [Male respondent, LGBTQ, Yangon]
Creation of “fake identity”: to maintain privacy, avoid harassment (done by women, upon advice/instructions of men)

• “I don’t use my real pictures and real name. My husband doesn’t like it. He doesn’t want me to use Facebook officially.”
  Female, 22, Housewife, SEC D, Yangon (R13.3)

• “My husband doesn’t like me to posting my pictures on Facebook. If I use it with my real female name, boys will hit on me.”
  Female, 34, Housewife, SEC C, Yangon (R13.1)

• “If I upload my picture, I will receive many friend requests. My brothers told me not to upload my picture after they opened my account for me. They [also] told me that some people Photoshop the pictures you upload on Facebook. So, they forbade me from uploading my photograph”
  Female, 26, Tailor, SEC C, Myitkyina (R6.6)
In fact, 40% of social media users had multiple FB account

- “I have one account to talk to my friends. That account has my [real] name and my own profile picture. I upload what I do, where I go, and what I eat using this account. I have another account to post my feelings because I am afraid my friends will comment under those posts. Nobody knows about that account. I use this account with another name. I don’t upload my photo either. I post pictures of scenery instead”
  - Female, 29, Trader, SEC D, Mandalay

- [I have] nearly 12 accounts. I use all the 12 accounts all the time. 5 of my accounts are real with my own pictures and others are not with my real profile picture.
  - Male, 19, SEC D, Yangon
Alternate identities facilitate political discourse while maintaining privacy

“Without showing my identity, I can engage in preventing misconceptions or state my opinions on local and international news without getting my name hurt… I can take the news without letting my identity be revealed. So, I use nicknames or other funny names with profile pictures like cartoon characters.”

Female, 38, Part time volunteer for NGO, SEC D, Yangon (15.1)

“I don’t use my real name or my photo when using social media. Many people hate Rakhine and I don’t want to use them. They [have given] us Haha sticker comments. When we meet one day there will be problems. I changed my name to avoid such situations.”

Male, 42, Fish salesman, SEC C, Rakhine ethnicity, Yangon (R12.6)
I also have two accounts. One is with my Kachin name since I have my relatives and friends from the same ethnicity. The other one is with my Burmese name and it is for activities where there could have negative impact if I use my Kachin name. That’s why I used it when I want to give comments on political posts, where a lot of people from different ethnic groups will see. If it is for the posts by church group or for the activities of my community, I used my Kachin named account.

Female, 25, SEC B, Yangon

Sometimes, there are some posts which are totally against my opinion. When I see them, I want to respond to them. However, I don’t want to tell them with my real profile because I don’t want my profile to be affected. Therefore, I wanted to have an account in which I can talk freely such as what news is right and what is fake.

Male, 41, SEC A, Myitkyina
Discussions on Ethnicity and Religion are the most facilitated by a different online identity/anonymity

**Subjects discussed using ”anonymous” name online**

- LGBT/Sexual orientation
- Politics
- Ethnicity
- Religion
- Gender

Legend:
- **Always real name**
- **Mostly real name**
- **Sometimes real, sometimes anonymous name**
- **Mostly anonymous name**
- **Always anonymous name**
- **I never discuss this subject**
This is important, because of Section 66d Myanmar Telecom Law criminalizes certain types of expression

- A **criminal law provision** that permits penalties of up to three years in prison for “extorting, coercing, restraining wrongfully, **defaming**, disturbing, causing undue influence or threatening any person using a telecommunications network.”
  - Over 50 people jailed as at mid 2017 under this provision; many more charged
  - Third party complaints permitted

- Modified in Aug 2017 but still problematic
  - permits judges to release people on bail
  - allows only those directly affected, or with permission from those directly affected, by the offense to press charges
  - reduces the maximum prison sentence to two years (from 3) for a range of offenses under article 66
  - Yet leaves unaltered sections on defamation; covers issues that can be handled by the Penal Code

“I don’t usually share posts on my wall. It is also because of the law like 66D. I am afraid that I might get into trouble by sharing some content. Since I do charity work, I need to be careful. The most I would do is to joke around with my friends by commenting about politics using the secret names we gave.” - Social media influencer, Yangon

“Yes, there are people who got sued by the 66D law. It is a law that has been set up to punish those people who made abusive comments on the internet. There is a girl who cursed at the generals or people of higher position in the government by commenting at their picture, and thus she got into jail. I saw that news on Facebook.” - Male, Bamar ethnicity, 23 years, Yangon

“I realized that I keep my Facebook account secure from hacking because of Article 66D. If many people know my Facebook account, it is not good. So, a person advises me to delete my Facebook account. But I had never experienced that. However, when I know about someone being arrested under 66D, I wanted to know what happened.. One person said that he did not do it himself but someone posts it by using his account. That post is serious. That is why he is arrested with that article.” – Female, 29 yrs., Yangon
IMPLICATIONS
More questions, not much hope. But some recommendations

• Access to justice reserved for a few (similar to other emerging economies). But in the short term, developing the capacity of police would help at least a little
  • To take seriously → to investigate → to find offenders → …..

• Fake accounts are criticized by many. Some propose banning. But they help people in Myanmar participate in their democracy/in the public sphere

• Section 66d a particular threat to free expression and has to change

• Platforms (e.g. FB) could test if providing fine grained classification when users report content might help