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Introduction

Digital Transformation in Asia: Between Fascination and Doubt

China's social media platform Tencent Holdings has become bigger than Facebook and is now the fifth most valuable company in the world. India has left the United States behind in the race to become the largest source of digital talents. Indonesia has the fastest-growing number of internet users worldwide. Such headlines have become commonplace, illustrating how digitalization is driving change in Asia. The region already accounts for half of the world's 2.8 billion internet users, and by 2025 fast-changing technologies – including the mobile internet, the Internet of Things (IoT), cloud technology, 3-D printing, and advanced robotics – are expected to bring a massive economic boost to Asia. This indicates the impressive transformation that lies ahead for the continent.

Many Asian megacities have become vibrant ecosystems for startups and are attracting a growing number of young techies. Already, a third of the world's app developers are based in Asia. Southeast Asia is an especially appealing testing ground for digital products, due to an open-mindedness toward new technologies and an infinite number of potential customers. Furthermore, companies can draw upon an immense workforce, which tends to be highly educated and culturally diverse. These are ideal market conditions for innovative companies to prosper. In fact, these properties have made some Asian cities even more popular than some of the digital hubs in the Western hemisphere. This year, for example, according to the website *Nespick*, Singapore overtook San Francisco as the best startup city worldwide.

People's lives in Asia are strongly based on digital technology, much more so than in other parts of the world. Digitalization

is penetrating all aspects of daily activities in the private and public spheres. In China, facial recognition technology has permeated day-to-day business. At the Beijing Capital Airport, facial recognition helps to streamline boarding. Students can enter their university halls by blinking into a camera, and in some restaurants, you can pay for your meal with a simple smile to a scanner. Digital trends are also heating up in less-industrialized Asian countries. In Pakistan and Myanmar, digital platforms make the search for healthcare professionals and the delivery of medicine to remote areas more feasible. They help provide information to pregnant women or arrange phone consultations. Such businesses not only create much-needed jobs, but also spur profound social change. People who were formerly excluded from social security benefits, due to their far-off locations or lack of official identification papers, can now claim social services or open a bank account with just a few clicks. Thus, the digital transformation of the business sector offers new opportunities for inclusive and sustainable development – and for developing Asian countries, it is a chance to leapfrog.

The success story of the digital economy is so promising that it is increasingly attracting the interest of political actors. «Digital first» has become a guiding principle for every government that takes itself seriously. Indeed, political leaders of Asian countries vie with one another in their glorious visions to build fully digitalized and smart nations. «Made in China 2025,» «Digital India,» Japan's «Society 5.0» and «Digital Bangladesh Vision 2021» are just a few of the prominent catchphrases that can be found in the various national strategies aiming to put their countries at the forefront of dis-

ruptive technologies. To reach these ambitious goals, governments are sparing no efforts. The Japanese government's vision of a Society 5.0 for example aims to tackle challenges like the demographic change by placing more robots in retirement homes and therefore digitizing not just the economy but also other levels of Japanese society. In Singapore, a newly created Government Technology Agency plans to digitize key functions of governance and public life, including municipal services and the submission of a tax return. In addition, China recently announced that it will be stepping up its financial support – to more than \$1.5 billion – to boost manufacturing innovation. This shows that Asian governments are pushing hard for digital technology. Whereas in Europe, some countries, such as Germany, are reluctant to make the necessary investments to improve online infrastructure, Asian decision-makers understand that better internet connectivity is an important advantage for local industry and may ultimately improve the lives of citizens.

Against this background, it is not at all surprising that Asia is leading in digital innovation and is ahead of other regions, including Europe and the Americas. Anyone who wants to learn about the latest digital trends must now look to the Far East. Travelers to Asia are often baffled when they see how technologically advanced certain areas are, and businesspeople come in droves to spot new, inspiring, and disruptive business models. However, not all that glitters is gold. Many Asian countries see digitalization as a means to attract business and generate economic growth, but they also realize that new technologies are being used by governments to secure their own political power. In times of shrinking civic spaces, online media and digital technology are sometimes used as modern tools of state repression. Non-democratic states are especially prone to this abuse of power. The digital visions of authoritarian regimes entail the use of big data – collected by billions of sensors – and the evaluation of citizens' internet profiles. The Chinese political leadership is already making wide-ranging efforts to manage the internet within their national borders. A new cyber security law obliges foreign companies to store their data about customers and employees in China. Once it is centralized in one location, sensitive data would no longer be protected from government access. Other countries are following this

example. Pakistan passed an internet law in 2016 that can be used to criminalize free speech online and gives unchecked powers to authorities. Such legal measures enable governments to control nearly every detail of their citizens' environment.

What sounds like spooky Orwellian fiction could become reality in a few years, thanks to the rapid development of new technologies and the willingness of companies to comply. For fear of being banned from the lucrative Asian markets, large IT companies are providing governments with comprehensive data. The Indian government, for example, launched a Central Monitoring System in 2013, granting the government centralized access to all the metadata and contents of communication traversing through all telecommunication networks in India. This means that the Indian government can listen to all calls, track all mobile phones, read all text messages, and see all the websites that an individual has visited. These developments pose a severe threat to privacy and democratic freedom of expression.

Digitalization in Asia offers both opportunities and risks. Although it allows people to be better connected and makes business processes more efficient, uncontrolled access to personal data allows companies and governments to intrude deep into the daily lives of citizens. It is therefore important that decisions about digitalization are not left solely to big corporations and governments. Civil society needs to play an active role in shaping our digital future. When privacy is at risk, the question of who owns data is crucial. It does not suffice to grant people access to digital services when they have no control of the data being generated. Civil society organizations need to stress that privacy is no longer a mere etiquette or social norm in Asia, and that the protection of private digital data must be rooted in legal standards. If digital rights are treated as human rights, many of the innovative technologies in Asia could represent more than just means of amusement or tools of convenience – they could actually empower the people. ■■■

Fabian Heppe

Project Manager for the
Asia Department
Heinrich Böll Foundation,
January 2018

The Curious Case of Vox Populi 2.0: ASEAN's Complicated Romance with Social Media

Joel Mark Baysa Barredo and Jose Santos P. Ardivilla

Barely three decades ago, the business of information was a one-way street. Television, radio, and print media were the main sources of information, providing limited opportunity for consumer feedback. Telecommunication facilities were scarce, and mobile phones were costly and could only be acquired by well-to-do individuals. Fast forward to today: Human interaction, expressions, and movements have advanced dramatically due to a technological resource that is now deemed essential to billions of people. The World Wide Web allows people to connect, know, and be heard, regardless of socioeconomic status, age, gender, or political persuasion. In fact, it is so integral to human existence that the UN acknowledged the human right to access the internet in 2011.

Joel Mark Baysa Barredo is the program manager for research for the Strengthening Human Rights and Peace Research and Education in Southeast Asia Project (SHAPE-SEA). He is also a core team member of the ASEAN Youth Forum. He thinks that digital technologies have enabled many to make their voices heard but also hindered many in the fight for the truth.

Jose Santos P. Ardivilla is an assistant professor at the Department of Visual Communication in the College of Fine Arts at the University of the Philippines Diliman. He sees social media as a tool that allows people to easily connect with each other and share ideas. On the downside, the rip-roaring, partisan propaganda on social media makes him yearn for those bygone, quiet days of the past, when one did not have to hear in real-time every state-enabled stupidity that is uttered.

Southeast Asia is no stranger to the inevitable impact of the internet. In fact, most parts of the region have a higher internet penetration rate than the rest of the world. The Philippines is considered by many studies to be the social media capital of the world. Even Myanmar, which had difficulties connecting to the world not even a decade ago, has been enjoying the highest growth rate of social media users among its neighbors. Internet speeds in Singapore and Thailand – two of the region's main economic hubs – have surpassed global standards for average speeds.

The campaign of the Association of Southeast Asian Nations (ASEAN) for a more integrated community seems outdated, considering how people already connect and interact in cyberspace. Despite

increasing rates of migration, people can still communicate with friends and family through programs such as Viber, Line, and WhatsApp. Mobility has also become more hassle-free through instant services provided by online transportation applications such as GoJek (Indonesia), Grab, and Uber.

The internet gave birth to a generation that could instantly engage with the world. Social media provides people with a platform to connect globally with like-minded people. Popular sites such as Facebook and Twitter also allow people to be part of the discourse and movements via online groups, memes, and hashtags. Furthermore, YouTube has produced not just celebrities, but also people of political influence.

People who are silenced, marginalized, and powerless have indeed found an ally in social media. However, many governments deem this phenomenon to be threatening. This digital revolution has pushed many ASEAN governments to regulate online activities in the pursuit of protecting «social harmony» and «national interests and peace.» According to Freedom House, the governments of internet-savvy Malaysia, Thailand, and Singapore have actively censored topics such as criticism of authorities, political satires, and social commentaries. Controversial social issues surrounding the LGBTQI community as well as religious and ethnic minorities are also being scrutinized in Vietnam and Indonesia. Interestingly, the Philippines, which has the slowest internet speeds in ASEAN, enjoys greater freedom of internet use and interaction.

One prime example of government insecurity surrounding the power of social media is the case of then 16-year-old Amos Yee. During the national mourning

for Lee Kuan Yew in 2015, Yee shared his «unconventional» thoughts about the late Singaporean founder on YouTube. Both the government and its loyal supporters found his video disrespectful and offensive. The Singaporean government eventually pressed charges against him, and he was temporarily detained. Yee recently filed for asylum to the United States to escape harsh penalties and social persecution. Despite this, Amos was able to gather support from within and outside Singapore via online platforms that had gotten him into trouble in the first place.

The social and political might of social media: A closer look at Indonesia and the Philippines

In recent years, the internet has contributed a great deal to human rights and fundamental freedoms as well as to the extensive progress of social knowledge in most parts of the ASEAN region. Indonesia and the Philippines – two of the more advanced democratic nations in the region – have been witnessing the various effects of social media on their respective governments and people. Millions of Indonesians and Filipinos currently turn to social media platforms for their daily dose of news, gossip, entertainment, and, in a more disturbing uptick, their political discourse. With such a massive and vigorous social media presence, how is democracy framed in high-speed communication in these two ASEAN countries?

Indonesian President Joko Widodo (Jokowi) is the most social-media-savvy among ASEAN leaders. His campaign for presidency utilized social media in its early stages. As president, he posts video logs, as if in real time, to inform the public of his activities – be it having dinner with the King of Saudi Arabia or arm-wrestling with his son. This enabled Jokowi to reach millions of young voters. Social media proved to be an asset in Jokowi's quest for maintenance and power by not only creating a connection, but also gaining traction with young voters. Instead of fiery rhetoric and humdrum campaign promises, viral videos and hashtags have proven to be quite the engaging alternative for political discourse.

One notable example deals with the horrendous Jakarta automobile traffic. Utilizing snappy music video editing, one viral video had a song on the time-wasting and soul-draining traffic, matching it to snail-paced bureaucracy. The seamless interconnection of national bureaucratic redress, catchy slang in Bahasa Indonesia, and global pop culture has rendered the discourse of politics easily digestible for young voters.

As president, Jokowi utilizes social media to establish himself as a digital folk figure. With a hashtag like «#AskJokowi,» netizens can directly address the president. In addition, by sharing snippets of his life with millions of followers, he makes citizens and voters feel closer to him. Jokowi's easy-going online persona was helpful to rally younger voters to support Basuki Tjahaja Purnama (Ahok), his handpicked successor to the Jakarta governorship, which is a possible stepping stone to the presidency. Leading up to the election, Ahok rode on Jokowi's social media coattails, enjoying consider-

able online popularity, as evidenced by the number of hashtags associated with him.

In the nearby Philippines, many jokingly observe that the country is ahead of the United States by six months in terms of the online proliferation of fake news – and people clustering toward ideology – instead of facts and «truth in journalism.» These factors were harnessed by entrenched political families in the 2016 elections, revealing the power of social media. This resulted in the election of the Davao City mayor, Rodrigo Duterte, as president, and the near-victory of Ferdinand Marcos, Jr. (Bongbong) as vice president. Although Marcos lost his election bid, his role in catapulting Duterte to power has been acknowledged. The Marcoses used nostalgia and internet memes to enhance their image and redirect populist hostility and anger toward the Aquinos, who were perceived as elitist and disconnected.

As early as 2010, memes started to circulate showing the «achievements» of the Marcos regime. These memes listed the infrastructure constructed, the economic gains made, and superimposed photos of a young Ferdinand Marcos, Sr., looking presidential, youthful, vigorous, and like a determined leader. Set in contrast to the numerous problems and general incompetence of the Aquino administration, this generated nostalgia for the imagined glorious past of the Marcos years. Many of the pro-Marcos memes were misleading and misinformed, but still, many supporters shared and asserted their ideology, foreshadowing the proliferation of fake news.

Furthermore, there have been allegations of the Marcoses employing an online

army of «trolls» to clean their names, revise history, and drag their opponents through the mud. One such example was a story of the vice president going to New York to have an abortion. It is noteworthy to frame all of this with the fact that Duterte admitted that the Marcoses helped him to gain presidency. Duterte paid his political dues at the burial of the late dictator in the Heroes' Cemetery. Many pro-Duterte posts share ludicrous stories that purport the greatness of the Filipino president. One such post claimed that Duterte had been voted by NASA as the best president in the galaxy – this was shared blindly by some, and scorned and mocked by others. A former government official appointed by Duterte unabashedly shared a photo of a woman crying over the body of a dead girl who was sexually assaulted, and whose body was dumped in the woods. The post went on to rile against drug users, because the suspect had used illegal substances before raping the girl. Many pointed out, however, that the photo was from a Latin American country, but Duterte passed the photo off as having been taken in the Philippines. He was duly called out, but no retraction or apology was made.

A number of bloggers and social media personalities who are vehemently pro-Duterte have received government posts as well as unprecedented access to the presidential palace. These bloggers disguise themselves as «folk heroes» and accuse the mainstream media of being «paid» – even coining the term «presstitutes» – when news stories are critical of Duterte. These stories, they claim, destabilize the country. The Philippine media – touted as one of

SOUTHEAST ASIA

Digital growth in millions (January 2017)

Source: *We Are Social Singapore (2017)*



+ 31 %

+ 80 million

Internet users
since January 2016



+ 31 %

+ 72 million

Active social media users
since January 2016

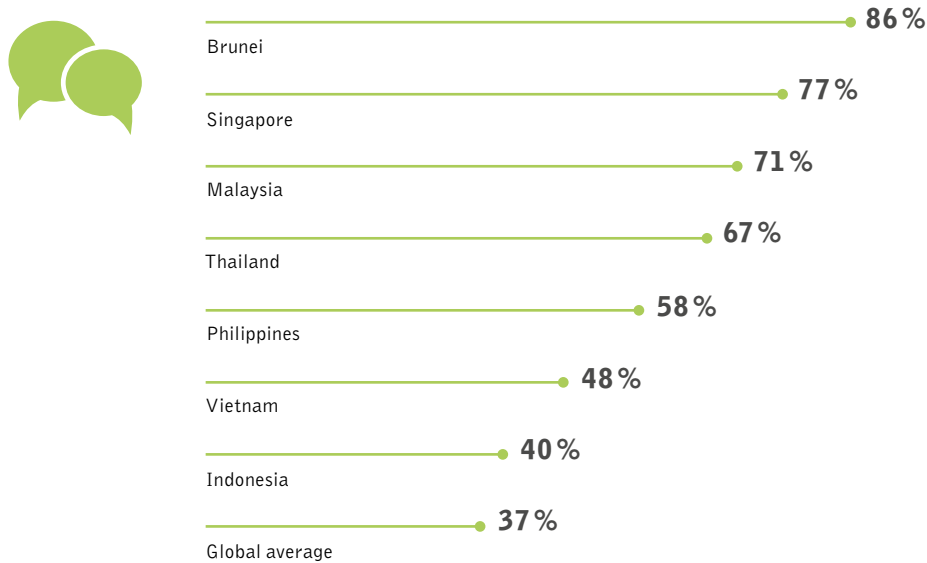


+ 8 %

+ 62 million

Mobile subscriptions
since January 2016

SOUTHEAST ASIA

Social media penetration (January 2017)*Source: Statista 2017*

the world's freest and most raucous institutions following the revival of democracy in 1986 – now faces a new obstacle: delegitimization via online programming, with trolls and pro-Duterte social media users casting doubt on news stories. Furthermore, this has enabled many to adopt a troll mentality and attack opponents ad hominem.

Ever since Facebook became «free,» many Filipino netizens have bracketed their lives and opinions on this platform. However, the only thing that is «free» is navigating Facebook posts; data charges are incurred once one opens a link to a different website. This has created a dangerous precedent of reading only the headlines and comments, resulting in opinions being based on partial information.

The internet in the Philippine context has gone beyond the initial ideal of its creation – as a fount of information – but it has also been used by those with sociopolitical and economic power as a tool for transmitting propaganda and manipulating both the minds and memories of Filipinos. If there is anything the Philippines can offer the world in terms of social media dominance, it is the following: The country should be seen as a cautionary tale in which «truth» versus ideology are now the basis of content generation. This content generation is consumed by netizens, who have more time to comment and spread (mis)information than to read and verify information.

The story lives on: An evolving culture of online citizens in ASEAN

In recent years, social media in ASEAN has quickly evolved from being a passive tool for knowledge consumption and entertainment to an active mechanism for change. Its effects on Indonesia and the Philippines are telling of how the power of the internet can have life-changing impacts on people, states, social norms, and national laws. In developing and democratically evolving countries in the region, the internet has become a source of power for the oppressed and ill-resourced. In Cambodia, the public turned to Facebook to express grave concerns over the murder of activist Kem Ley. In Myanmar, Aung San Suu Kyi's inaction toward human rights violations against the Rohingya people was met with serious criticism from netizens.

The romance between ASEAN citizens and social media lives on. Social media continues to shape a more integrated and digitally savvy regional community. It has encouraged ASEAN peoples to go beyond limitations set by geographic borders, political lines, and socioeconomic realities. At 50, ASEAN and its member states must admit that social media is not just here to stay, but that it is – and will remain – a dynamic force to be reckoned with. ■■■

Halfway There:

Myanmar's Difficult Transition toward Freedom of Expression

Nay Phone Latt

For decades, Myanmar was among the most isolated countries in the world. The military regime prevented people from obtaining outside information by restricting access to digital media. The process of democratization has subsequently improved the access to information technologies. Although the arrival of the internet has changed things for the better, people still cannot express themselves freely without fear of persecution. Journalists, writers, and human rights advocates are still waiting for the radical changes promised by the new government.

At the turn of the new millennium, there were many discussions about how emerging technologies were bringing people from different countries closer together. Whereas for many the world had transformed into a «global village,» Myanmar remained a village cut off from the rest of the world by its military dictatorship. Unfair laws and strict limits imposed by government authorities isolated Myanmar and prevented it from participating in global developments. The dictators who erected these barriers kept Myanmar's citizens ignorant of the radical social and political changes that were occurring elsewhere in the world. Yet, young people in Myanmar, who were brought up in the new electronic information age, used information technology as a «drilling machine» to view these changes beyond their borders. They then realized how much Myanmar was lagging behind and shared their knowledge with other citizens.

Restricting technologies creates invisible walls

Thanks to the spread of information via the internet, they were able to share with the international community what was happening in their own country. However, this was a dangerous venture. Most websites – notably those of exiled media such as the BBC, VOA, RFA, and DVB (Democratic Voice of Burma) – had been banned under Myanmar military rule. Watching exiled TV media companies via satellite dishes was also forbidden. Many people were only able to use the email service officially provided by the former junta government. The use of other email services, such as Gmail and Yahoo Mail, was prohibited, as was the registration of blogs under these email services. Anyone who violated these bans risked imprisonment.

In 2004, the government created a legal basis for these moves with the Electronic Transactions Law, which handed down severe punishments for citizens who communicated with the world using technology and the internet. Section 33(a) of the law threatened dissidents with seven to fifteen years in prison for conducting anti-government activities online. After a series of political and economic protests and demonstrations led by Buddhist monks in 2007, which came to be known as the Saffron Revolution, the junta frequently used this law to punish political activists in 2008. Many politicians were imprisoned for several terms and thereby silenced. For example, the 88 Generation student leaders – Min Ko Naing, Ko Jimmy, Htay Kywe, and Ko Ko Gyi – were each sentenced to 60-year prison terms on four charges. Similarly, the famous comedian Zarganar was sentenced to a 45-year prison

Nay Phone Latt is a blogger and activist who co-founded the Myanmar ICT for Development Organization (MIDO). He was arrested in January 2008 and sentenced to more than 20 years in prison for his alleged involvement in spreading news during the 2007 Saffron Revolution. He was released in January 2012 as part of a mass presidential pardon of political prisoners. After his imprisonment, he received the PEN/Barbara Goldsmith Freedom to Write Award. Currently, he is serving as a Yangon Region *luttaw* member of parliament.

term on three charges. Among many others, I was also sentenced to a 20.5-year prison term. Under Section 33(a) of the Electronic Transactions Law, charges were pressed against me for my online blogging. However, I am certain that my participation in the Safron Revolution as well as my connections to the 88 Generation played a part in my arrest.

The change of government stimulated freedom of expression

Thanks to the great efforts undertaken by Myanmar citizens, freedom-loving foreigners, international organizations, local and foreign activists, and the media, Myanmar began to change in 2008. The junta held a referendum to approve the «2008 Constitution,» and a multi-party election was held in 2010. However, the main opposition party, the National League For Democracy (NLD), did not participate in the election because its leader, Daw Aung San Suu Kyi, was still under house arrest. Instead, the Union Solidarity and Development Party, which was comprised of many retired military generals, won the majority of parliamentary seats.

With the new government having moved away somewhat from the strict measures of the «old days,» policy changes began to appear in 2010 and the government began to loosen its grip on some parts of society, despite the fact that the top government officials in 2010 were the same ones as in the previous period. During this time, big changes were also being implemented in the information and communication tech-

nology sector. Formerly banned websites were unblocked. Bloggers no longer had to use proxy sites to access blogs. A new era of digital freedom began and Myanmar citizens could open two or three different Facebook accounts without fearing persecution. The cost of a SIM card fell from about \$3,000 to \$1.50. People started buying mobile phones and no longer needed to use public phones. Furthermore, privately owned media emerged in Myanmar. Even formerly exiled media organizations returned to the country. After a long time, Myanmar citizens were able to enjoy the first tender buds of freedom of expression.

Countering hate with «flower speech»

Although the government officially granted its citizens free access to the internet, and privately owned companies were allowed to run their own media channels, the government remained very critical of the media. Journalists were still being treated like criminals, and the government even adopted a policy to fight media with media. Strict limitations were imposed, freedom of expression was misused, and hate speech spread. Before and after the 2012 by-election, in which Daw Aung San Suu Kyi was campaigning for a parliamentary seat, sectarian violence was provoked by some posts on social networks, with some people inciting violence by disseminating false rumors. It is alleged that there were some groups that systematically misused websites and social networks to stir up hatred. Community-based organizations and young activists, who began view-

MYANMAR

Digital growth in millions (January 2017)

Source: We Are Social Singapore (2017)



+ 97 %

+ 7 million

Internet users
since January 2016



+ 84 %

+ 6 million

Active social media users
since January 2016



+ 38 %

+ 14 million

Mobile subscriptions
since January 2016

ing hate speech as a threat to freedom of expression, launched the Flower Speech (Panzagar) campaign. Their aim was to create awareness that the moderation of speech could prevent hatred among people. They understood that freedom of speech was not equivalent to the «freedom to swear» or insult somebody. Panzagar is thus a movement informing people that there should be a corresponding responsibility for every right, and it urges people not to use hate speech. Many people felt deeply insecure due to the distrust caused by hate speech. As a reaction, people of every age offered active cooperation with Panzagar. As a result, the movement spread across the country. Panzagar even cooperated with Facebook to create the «Comment Sticker Pack,» which is the first ever Myanmar-language anti-hate-speech sticker pack. Because of the Panzagar movement, people came to understand that hate speech creates dangers and can quickly proliferate, both on social networks and in the real world.

When the NLD won the election in 2015, there were great hopes in Myanmar that citizens could finally practice freedom of expression and access information without any further restrictions. Since I also won a parliamentary seat as an electoral candidate, I witnessed how high people's expectations were of the NLD. These expectations pose a huge challenge for the new government. There is a palpable yearning for more freedom of expression, which has, to an extent, been realized: Privately owned newspapers and journals have emerged, and TV licenses have been granted to private organizations.

U Htin Kyaw, son of the famous writer Min Thu Wun, became President of Myanmar, and the respected writer U Pe Myint became the Minister of Information. In addition, journalists and literary communities have become more active.

Still a long way to go

Whatever the changes, it must be admitted that there are still limitations, challenges, and threats. For example, some people still have a hard time tolerating online criticisms and make use of Section 66(d) of the Telecommunications Law – a provision that criminalizes ill-defined, online defamation – to sue each other. So far, there have been 77 cases filed under Section 66(d). Only seven were filed under the previous government, with the remaining 70 being filed under this new government. This shows that even though people in Myanmar have achieved a degree of freedom to express that which was formerly unimaginable just a few years back, Section 66(d) is still a huge obstacle to expressing opinions. It is a shame that freedom of expression and internet freedom are being curtailed in such a way.

Although the parliament submitted a bill recommending amendments to some of the severe penalties under the Electronic Transactions Law in August, real freedom of expression in Myanmar can only be achieved if new laws, such as a Right to Information Law, are drafted to ensure further freedoms. Furthermore, the executive branch has to avoid doing things that can harm freedom of expression. In simple terms, focusing on freedom of expression as a fundamental value and acting accordingly is the best way to achieve the vision of creating a democratic federal union.

Although, on the surface, it appears that much progress has been made over the last decade, we must consider various points of comparison when discussing freedom. Of course, compared to 1988, when the pro-democracy movement began, Myanmar's development has been astonishing, but it still lags far behind when compared to standards in developed nations. Whatever the comparisons, one of the great hopes of citizens is that the situation will not worsen, even if it does not improve. The goal is still far away and the roads are still rough, but we have to believe that we will reach our goal someday, and we must highly value our freedom and move united through this transition. ■■■

MYANMAR

Some improvements in Myanmar's fight for digital freedom

Until 2013, Myanmar had only a few internet service providers, all of which were controlled by the government. The political transition in Myanmar offered the digital sector an opportunity to leapfrog, as investments in the telecommunications market sharply increased. The drop in SIM card prices – together with the influx of investment from foreign mobile operators in newly liberalized markets – marked a new era for the country. After decades of being cut off from the outside, people began using mobile phones as their main device for communicating and accessing the internet. Today, more than 17 million people – representing 26 percent of the country – regularly go online. Despite these changes, restrictive telecommunications laws continue to threaten the freedom of expression online. Under the military government, regulations were enacted to sue internet users, including journalists, in order to silence critical voices. Furthermore, false rumors and hate speech are incited by some politicians, leading to violence and mistrust. Myanmar, therefore, has a long way to go before it achieves real online freedom.

Rethinking Media Reform in Southeast Asia: Promoting a Participatory Approach for a More Democratic Media

Gayathry Venkiteswaran

Internet users in Southeast Asia are confronted with a heavily regulated environment in which there are more restrictions being placed on freedom of expression. Despite technological advances, societies undergoing political transitions, such as Indonesia, Myanmar, and Thailand, have yet to enjoy the full democratic potentials of a free and independent media. Instead of top-down reforms for the media, these countries need policies that prioritize the public's interests. Only with the meaningful participation of civil society can these reforms become sustainable while supporting democratization.

Pick any corner of the Southeast Asian region and one is bound to find someone swiping the screen of a smartphone and possibly accessing YouTube or social media sites such as Facebook. YouTube is an online video platform owned by Google and is one of the most visited sites in a region inhabited by more than 600 million people. These platforms have become the go-to destinations for anyone with a mobile device to watch and access all sorts of content, including news and entertainment. The content is shared and discussed with friends and strangers using different chat applications and social media accounts. The advantage of this user engagement is that increasing numbers of people are getting involved in political discourse because the costs for accessing the media have declined significantly.

However, beyond this growing engagement with digital media – and unbeknownst to most users – for quite some time there has been simmering controversy regard-

ing the regulation of content, platforms, distribution channels, and liabilities affecting media and technology companies as well as society. Governments in Southeast Asia are trying to regulate local and foreign companies, including media outlets (news and entertainment) and platform owners (Google/YouTube) for financial and content liabilities. There appears to be a tradeoff between the benefits that can be derived from these technological advances and the rights that governments are willing to recognize as being fundamental to a well-functioning democracy. Part of this problem can be traced to the disjointed ways in which the different media platforms and spaces have been «regulated» as well as to the motivations regarding control and profits rather than the public interest. More often than not, there is little public participation in determining the direction of the media industry and choosing what values the public ought to assign to information and communication processes. These issues arise when looking at countries such as Indonesia, which has almost two decades of reform experiences; Myanmar, which is seen as a newcomer in this debate; and Thailand, where the levels of freedom have expanded and contracted several times over the last few decades.

Punished for expression

Myanmar has some of the fastest-growing metrics regarding the population's use of mobile phones, internet penetration, and social media use, but the list of critics who are at risk of being jailed there for their online expression is also getting longer.

Gayathry Venkiteswaran teaches media and politics at the University of Nottingham, Malaysia Campus, where she is also pursuing a PhD on the topic of media reforms in Southeast Asia. She was previously the executive director of the Bangkok-based Southeast Asian Press Alliance, where she focused on media freedom. Prior to that, she worked in Malaysia as a journalist and lobbied for the introduction of two state-level freedom of information laws.

Journalists who once feared a draconian and archaic press and criminal laws are now campaigning against the Telecommunications Law (enacted in 2013), which has implicated more than 70 people for comments posted on Facebook. In Thailand, the Computer Crimes Act 2007 became one of the main legal tools – together with criminal laws on *lese majeste* – to silence those who had been critical of the monarchy and the government following the 2006 coup. In the post-2014 coup, a package of laws for a «digital economy,» aimed at boosting investments and facilitating the switchover to e-services, has mainly drawn attention to the increased powers that the state has acquired to regulate the industry. Prior approaches to control the print and broadcast media have been retained in – and reinforced by – the laws on media and

digital technologies. In other words, societies in Southeast Asian countries are told that they can access the media via its various technologies, but not the rights or the potential for unfettered access and expression. Even in relatively freer Indonesia, the Electronic, Information and Transaction Law 2008 is now considered to be one of the most notorious tools to stifle expression, as it has been used to drag 35 people – mainly activists and journalists – to court for online defamation. Trends such as these bring to the forefront questions about the media-reform agenda, who the real beneficiaries are, and how people view their relationship with the media and political institutions.

Reforms as strategies

Media reforms are typically understood as strategies to challenge media monopolies, address the negative impacts of economic liberalization in the media sector, and increase public access to information and the means of content production. They involve changes and shifts in institutions, values, and practices. These goals are therefore not only confined to the media sector, as they are expected to support public interest in a democratic society. Among the key indicators for the reforms are improvements in the diversity and independence of the media, people's access to information, and freedom of expression. In countries in transition, reforms are often linked to political upheavals or changes that democratic forces use to replace repressive rules that previously controlled political activities and the media. Yet, it is difficult to completely dismantle the old regimes. New power-holders sometimes negotiate and forge alliances with different factions of the previous regimes on the grounds of ensuring continuity or to prevent power-grabs. This can be seen in the media sector, too, where legislators and bureaucrats of the older regime continue to shape policies, influence agendas, and fill in key positions in oversight mechanisms.

Indonesia and Myanmar have had different experiences with media reforms, although they share similarities with authoritarian regimes that have been in power for several decades and experienced sub-national conflicts. In Indonesia, after the Asian financial crisis in 1997, a people's movement led to the fall of President Suharto and set in motion reforms that

ASEAN

Thailand's animal-disease detection app

The majority of Thailand's rural population engages in backyard animal production without having sufficient knowledge of the dangerous risks posed by animal-borne diseases. The potentially devastating effects became evident during the avian flu pandemic of 2004, which claimed dozens of lives in Thailand and Vietnam. Following the outbreak, former veterinarian Dr. Lertrak Srikitjakarn reached out to a young entrepreneur – a co-founder of Opendream, Patipat Susumpow – to create an efficient animal-disease detection system for Thailand. Opendream aims to generate social progress for Thai communities through the use of modern communication technologies. Sharing similar visions about community empowerment and civic participation, the veterinarian and the communications expert cooperated to create an entirely Thai-built mobile app with the potential to revolutionize detection and early response mechanisms in order to contain zoonotic disease outbreaks in Thailand and beyond. The new app constitutes the technological backbone of a local pilot project entitled «Participatory One Health Disease Detection» (PODD), which started in 75 sub-districts of the Chiang Mai province. The design is simple and intuitive. In the event of suspicious cases of animal-disease outbreaks, trained village volunteers submit a photo through the PODD app. GPS automatically tags the photo location, and the app then guides the volunteers through a list of short questions relevant for the analysis. The whole process usually takes no longer than three minutes. All volunteer reports are immediately submitted to a central hub, the PODD Epicenter, where specialists immediately stage a coordinated response with the volunteers, affected villagers, and local authorities. This holistic, community-owned, and rapid-response-driven surveillance model has won international acclaim¹ and is poised to be replicated at the national and international levels.

¹ <http://www.bbc.co.uk/programmes/p057pp7w>

transformed its controlled media into a robust and free one, in which citizens' freedom of expression was rigorously defended. Indonesia has been touted in the region as a role model for press freedom, freedom of expression, as well as democratic governance. However, activists and journalists say that the strides made following the *reformasi* period, although important, have been affected by challenges to political media ownership, the continued marginalization of minority voices, and the recapturing of oversight mechanisms by the state. The military, which returned to the barracks during the transition, has somewhat re-emerged as a force through its links with today's business and political elites.

After the increased pressure on Myanmar from international and local communities to open up economically and politically, the government had to give in and began adopting media reforms after 2012 to guarantee its political survival. Here, observers note that this opening was part of the military regime's plan, known as the «Seven Step Roadmap,» since the early 2000s. Coupled with civil society's lack of experience in advocating for legal changes and their mistrust of political institutions, it explains how the military regime came to direct and dominate the media-reform agenda. The subsequent election of the National League for Democracy in 2015 inspired hope for greater openings and freedoms, but these developments have been put on the back burner.

Thailand has also witnessed a democratization of the media sector as well as political changes since the 1990s, but many of the gains have been lost since the 2014 military coup. Talks of reforms today are concentrated in the hands of the military, which draws its legitimacy from its loyalty to the monarchy.

Many of the changes affecting the media – especially those involving large investments for the broadcasting and telecommunications sectors – began even before the historic political upheavals in Southeast Asia, which continue to form policymaking today. A wave of privatization since the late 1980s – even in military-run Myanmar (as it was known until 1989) – included the media industry. After years of being under the control of the state, the «markets» were opened to private companies, though most were known to be close to the power centers in earlier times. By the time the internet was introduced, there

were growing demands from the public as well as businesses for freer media and less state control of key resources in resource-intensive sectors. The market approach has dominated the reform agenda, which is led by the states, in collaboration with business interests. This often occurs at the expense of the marginalized and disadvantaged via the patronage-based, neo-liberal market systems that are prevalent in these societies.

Locating civil society in today's media environment

Although most of the reforms have been top-down – mainly because of the role that governments and legislators play in enacting or repealing policies – broader stakeholder participation could have a significant impact on the outcome. When it comes to the media sector, the main stakeholders are the media owners and journalists, whose representation has been crucial in influencing policies, but who are sometimes viewed as having narrowly vested interests. To fill this gap, activist and alternative media projects have taken advantage of the various technologies, online and offline, to push back against what they see as moves that would undermine democracy and freedoms. These include the use of the internet to create online discussions and news in all three countries. Broad-based civil society coalitions have been formed to present alternative draft legislation and campaign against bad laws. These include the formation of a network of community radio stations, democratizing the airwaves in Indonesia and Thailand, and campaigning to reform the telecommunications law in Myanmar, which is one of the few examples there of a social movement in the media sector.

There are lessons that can be learned from the experiences of reforms in the region. For example, the «highs» of the social movement in Thailand took a drastic turn when growing political divisions developed in the 2000s (popularly described as the pro-people «red shirts» versus the royalists «yellow shirts»), making it difficult to form alliances or solidarity across civil society to focus on the common cause of demanding rights-based policies for both the legacy and digital media. Fragmented identities are not unique to Thailand, as other societies also grapple with this issue. The fault lines in discussions about the crisis in Rakhine State in Myanmar also point to a reform process

THAILAND Time spent with media (average daily use)

Source: *We Are Social Singapore (2017)*



8h 49m

Internet via pc
or tablet



4h 14m

Internet via
mobile phone



2h 48m

Social media



2h 26m

Television

that may have ignored existing tensions in society. These are also reflected by and in the media – whether through journalism content or social media interactions – and in the ways people use and create meaning using different media technologies. In Indonesia, many NGOs from the post-*reformasi* era have struggled due to the lack of international funds that once supported their work, as aid institutions shifted their attention toward strengthening the state and its role in democratization. This affected civil society's capacity to monitor the implementation of laws and ability to quickly and effectively respond to attempts at derailing progressive elements in the reformed laws. But activists are optimistic that the online spaces, although at risk, have allowed for mobilization and advocacy to take place without the costs associated with NGOs. In Myanmar, the finite nature of media assistance could also leave many civil society groups and independent media organizations that do good work to promote media literacy in the lurch.

Rethinking approaches to reforms

Reforms in these countries will only make sense if we can strike a balance between the opportunities that arise from the growth of media spaces and technologies, and the *historical and structural constraints* that have created the gap between those who own the media and those who use it. Negotiations related to the reform agenda usually involve those who have access to the process and hold some power within the communities or societies they represent. Across the three countries, people who come from different geographical locations, gender backgrounds, and minority identities are excluded, but a more democratic media environment could offer them opportunities for expression, engagement, and empowerment. Ideally, reforms that would bring about meaningful changes should allow for the participation of a wide range of stakeholders, including state institutions, legislators, media businesses, and civil society. The *multistakeholder* model used for global internet governance is relevant for discussions and strategies in media reforms because of the diverse and networked nature of the media today. It is a relatively new concept in the traditional media sector, but its application could help in avoiding

some of the pitfalls of a state-dominated reform process, as seen in Thailand and Myanmar.

So far, we have seen few, if any, changes in the regulatory frameworks, which has prioritized the *public's interest* in democratic processes, since we have entered the new millennium. Instead, the spaces for debates and legitimate criticism are shrinking fast, despite – and because of – the regulatory changes taking place that affect the media. Whether it is the news media, mobile phone services, or social media, the primary focus ought to be how best these can facilitate dialogues about democratization in the three countries – and across the region. It is encouraging to see that civil society actors have responded to the public's increased exposure to online and mobile communications and have facilitated such dialogues. In Thailand, this role is played by news sites such as Prachatai and Thai Publica; Media Inside Out, which conducts media monitoring; and the digital rights group Thai Netizen Network. In Myanmar, several organizations that focus on freedom of expression and digital rights have been active in encouraging people's participation in campaigns, producing counter-narratives to hate speech, and using data and online tools to check on governance. They include PEN Myanmar, Myanmar ICT for Development Organisation, and Phandeeyar. Indonesia's journalists' group, Aliansi Jurnalis Independen, works with informal networks such as Safenet, a volunteer-driven initiative to monitor online freedoms, and the Press Council to promote press freedom and freedom of expression. In the meantime, netizens are quick to use online spaces to support those targeted for criminal defamation online.

At the end of the day, the individual has the ability to access and produce information and engage in conversations that matter to him or her over any platform, freely and securely. Reforms in the media sector need to place the people at the heart of the agenda, as this will inevitably sustain the growth of these technologies and foster a healthy democracy. ■■■

Dealing with the Past: Engaging in the Present

App-learning on Khmer Rouge History: An Internet-based Multimedia Application

Duong Keo and Sopheap Chea

Many young Cambodians have very little knowledge about the horrors and atrocities of the Khmer Rouge (KR) regime. This dark chapter of Cambodian history is often not discussed by older generations and could thus disappear from collective memory. In order to not let people forget, the Bophana Center developed a multimedia app that provides free access to these historical events. Instead of relying on their parents or schoolbooks, young Cambodians can now use the Khmer Rouge History App to inform themselves about their country's history during this period. This could help to end the silence about this regime in Cambodian society.

The Khmer Rouge took power on April 17, 1975, which was day one of their regime, which lasted 3 years, 8 months, and 20 days. During this time, the Khmer Rouge forced people to work extremely hard, provided little food, and offered no proper medical treatment in addition to confining people within specific areas. There were extralegal executions of civilians, soldiers, cadres, and party members who were accused of being enemies of Angkar. «Sweep Clean» was the term that the Khmer Rouge used to eliminate what they called «enemies burrowing from inside.» After the fall of the Khmer Rouge on January 7, 1979, it was estimated that 1.7 million people had perished.

In recent years, international, governmental, and nongovernmental institutions have been working to raise awareness, heal the trauma of survivors, and prevent any such event from recurring ever again. However, raising the awareness of young Cambodians about this period has been a great

challenge. In Cambodia, about 70 percent of the total population is under 30 years old and does not know much about what happened under the Khmer Rouge regime. Thus, encouraging them to learn about Khmer Rouge history – facilitated by relevant and engaging tools in their search for the truth – is crucial for a social transformation of Cambodia.

In order to respond to the fast pace of technology and to reach more youth in Cambodia, the Bophana Center successfully developed an internet-based application to teach Khmer Rouge history through smart devices. «App-learning on Khmer Rouge History» (KR-App) is the title of a project that produces multimedia applications such as written articles, films, photos, audios, artworks, and interactive elements. Between late July and the end of September 2017, the app was downloaded more than 2,000 times on Android and iOS platforms.

With its aim to reach young adults, the Bophana Center signed a Memorandum of Understanding with the Ministry of Education, Youth and Sports to endorse the KR-App as a supplementary tool for students to learn history. The project is also a proposed reparation project of ECCC Case 002/02, under the «guarantee of non-repetition» measure. The project is funded by the European Union (via UNOPS) and The Rei Foundation Limited.

Advantages of the KR-App

The main advantages of the KR-App are its innovative multimedia, validated and standardized information, and user-friendly learning tools.

Duong Keo is a researcher/writer at the Bophana Center and a co-author of the KR-App. He graduated from Chulalongkorn University with a master's degree in Southeast Asian Studies. Both authors hold critical views of knowledge-sharing in the digital era: With information from different sources being thrown onto various internet platforms, recognizing valid sources is difficult and makes some users susceptible to manipulation.

Sopheap Chea is the executive director of the Bophana Audiovisual Resource Center and a project manager for the KR-App project. He has worked with the Bophana Center for more than a decade.

The contents of the KR-App are carefully developed through academic and scientific research. The valid sources for each article include legal documentation from the Khmer Rouge Tribunal – or Extraordinary Chambers in the Courts of Cambodia (ECCC) – archival documents from different institutions, witness interviews, survivors' memoirs, academic books and articles, and other sources. The citations for each source are also included in the articles. Additionally, in order to ensure the quality and authenticity of the articles, a Scientific Committee was formed. The eight Scientific Committee members are Cambodian academics and experts in Khmer Rouge history from the Ministry of Education, Youth and Sports, the ECCC, the History Department at the Royal University of Phnom Penh, the Documentation Center of Cambodia, and the Center for Khmer Studies. At least once a month, the Scientific Committee members meet with a project team (lead writer, project manager, IT team, interface designer) to approve the written content and interface design. New content developed by the writers is introduced and debated, improved, and/or corrected through consensus or compromise. Moreover, writing teams regularly consult with each committee member before and after the meetings. Therefore, the articles in the KR-App have been checked and approved by Khmer Rouge experts, giving each article academic and standardized validation. Based on interviews with randomly selected students who attended a presentation at the Royal University of Phnom Penh, each person gave positive feedback.

They were especially enthusiastic regarding reading texts and watching/listening to audiovisual presentations. Many students said that using the app inspired conversations with their parents. The main reason for talking to their parents and relatives was to compare the content of the app to the experiences their parents and relatives had during that time.

The KR-App offers a wider platform that includes multimedia and interactive tools for users in addition to written articles. Sixty-five short documentary films and videos of witnesses' testimonies are included, along with around 1,300 photos, 15 audio files, and numerous artworks. Within each lesson, the application normally consists of videos (testimony or documentary), photos and audio files, which help users to visualize and understand the history of the Democratic Kampuchea – the state controlled by the Khmer Rouge. For some images that cannot be found in archives, the project employed artists and filmmakers to draw, sculpt, photograph, and film objects and images to enhance the text-based content of the application.

On average, Cambodians read less than one book a year. Encouraging them to read history is very challenging. At the same time, according to Internet World Stats in March 2017, one-quarter of the Cambodian population accesses the internet, and the majority of them are young people under 30, who spend much time using their smart devices. Thus, learning history through the KR-App is an applicable tool that fits the needs of young people. The written texts, videos,

CAMBODIA

Snapshot

Source: *we are social Singapore (2017)*

Total population:
15,950,000

21 % urban 79 % rural



Internet users:
7,160,000

45 % internet penetration

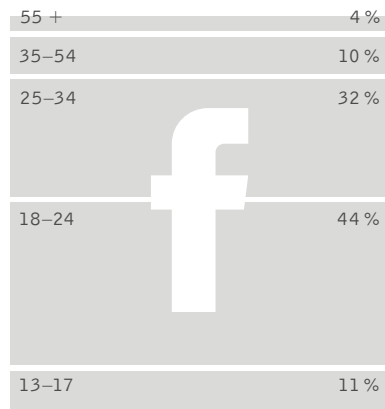
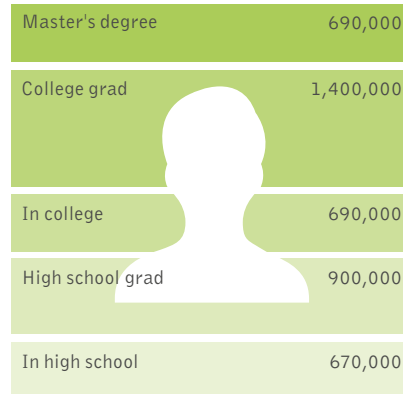


Active Facebook users:
4,900,000

31 % Facebook penetration



CAMBODIA

Facebook age profiles*Source: Digital Statistics Cambodia 2017***Education levels of facebook users**

photos, and audio files are also specially designed to fit the target audience of high school students and first-year university students. The KR-App aims to deliver history directly to the young generation, and thereby reinforce the national education curriculum for high school and first-year university students. Young smartphone users can easily access articles, films, photos, audio files, artworks, and interactive elements to learn about the horrors committed during the Khmer Rouge regime. A subject that was rarely talked about and hushed up at home has now become an open source of information for everybody. Cambodians now have the opportunity to engage more deeply with their own history by using mobile technology.

Based on the cooperation between the Bophana Center and the Ministry of Education, Youth and Sports, the KR-App was created as a supplementary tool to support the national education curriculums of high schools and universities in Cambodia and allows students to engage more deeply with history. At the start of the new school term in 2017, 100 high school history teachers were invited to attend the training workshop about how to use the app in class. The outreach team met with around 30,000 students along with the trained teachers.

Dealing with Cambodia's past, contributing to the future

The development of the KR-App plays a significant role in sharing knowledge about the Khmer Rouge history with young people and fostering inter-generational dialogue. When young people understand what happened with the Khmer Rouge and why, they will have sufficient knowledge to help prevent atrocities from happening again in the future.

After completing the development of the KR-App, the next plan is to bring the application to the public, especially young people. The outreach teams will tour schools in different provinces to let students know about the application and that they can install it and learn history by themselves. The application consists of eight comprehensive chapters, starting with the historical background of the communist movement in Cambodia, Cambodia under the rule of the Khmer Rouge, and its aftermath.

After using the KR-App, young people are expected to explore more personal stories from their parents or relatives who had experienced the Khmer Rouge. This will contribute to more intergenerational dialogue in Cambodian families. Learning about this tragic history and listening to

interviewees' testimonies in the KR-App will encourage young users to find out about more stories from the survivors within their own families. Thus, the app has the power to break the silence and create more opportunities toward intergenerational dialogue.

The innovative multimedia application consists of accurate and standardized information validated by Cambodian and international experts. It has the potential to raise awareness about justice, human rights, and peace, and to foster intergenerational dialogue. Young users are the KR-App's main audience and are the country's future leaders.

The KR-App also plays a role in healing survivors' suffering, as many people have shared their personal stories. With young generations recognizing what happened during the Khmer Rouge, survivors' psychological suffering can be healed. Forty witness testimonies were produced and added to the app after the team talked to nearly 100 survivors. Among those witnesses, there are several from the Civil Parties of the ECCC. Those Civil Parties members could benefit from the KR-App by participating in the development of the content and contributing their stories to a multimedia source.

The KR-App provides an innovative multimedia learning tool with accurate and

standardized content, thereby contributing toward sharing broader knowledge about Khmer Rouge history, fostering intergenerational dialogue, and guaranteeing that history will not repeat itself. Users can now install the KR-App from both the Play Store (Android system) and App Store (iOS system) by searching for «Khmer Rouge history.»



¹ The imprecise term «Angkar» (The Organization) allowed the Communist Party of Kampuchea to keep information secret about its members, existence, and history.

² David Chandler, *History of Cambodia*, 4th ed. (Chiang Mai: Silkworm Books, 2008).

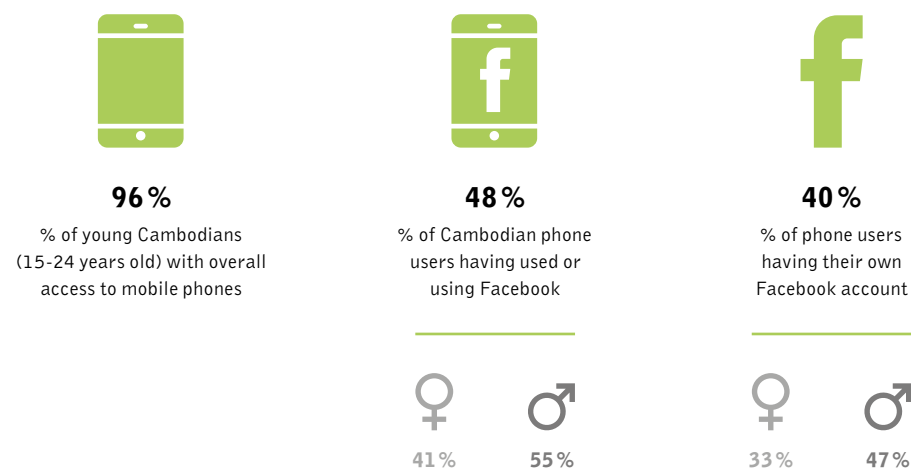
³ According to reports from the Documentation Center of Cambodia, students receive little knowledge about Khmer Rouge history and, even after training workshops, they hardly understand why it happened. Please see: Stephen Wu and Steven Chang, *Genocide Education in Cambodia Teaching of the History of Democratic Kampuchea (1975-1979)*; Report Classroom Forum at Bak Touk High School on July 8, 2016 (Phnom Penh: Sleuk Rith Institute, 2016); Ly Sok-Kheang and Dy Khamboly, *Genocide Education in Cambodia, Quality Control on the Teaching of «A History of Democratic Kampuchea (1975-1979)»*; Report from Kratie and Mondul Kiri province, June 6-13, 2012 (Phnom Penh: Documentation Center of Cambodia, 2012).

⁴ Cited by *Phnom Penh Post*, UNESCO claimed that nearly four-fifths of Cambodian adults still lack any reading habit. Room to Read also reported that Cambodians read only 1.5 books per year.

CAMBODIA

Access to mobile phones and use of Facebook

Source: *Media Habits and Information Sources of Youth in Cambodia 2014* (by BBC Media Action); *Research Report: Mobile Phones and Internet Use in Cambodia 2016*; *Research Report: Mobile Phones and Internet Use in Cambodia 2016*



You Are What You Share: How Social Media Is Changing Afghan Society

Sayed Asef Hossaini

Millions of Afghanistan's citizens benefit from high-speed internet services, and many of them use social media networks to share their views and concerns about political issues. Especially for women, social media provides something that rarely exists in Afghanistan's public life: open spaces for controversial discussions and room to express opinions and desires. Information technology allows for an exchange of ideas in a way that was not possible before, thereby contributing to a more democratized society.

After the Taliban regime was toppled in 2001, broad access to digital telecommunication services became a reality in Afghanistan, bringing with it substantial social changes. Millions of Afghans today are connected and equipped with mobile phones and other mobile devices, allowing them to access information as never before and engage in sociopolitical discourse.

It has been 15 years since the democratization process started to take root in Afghanistan. One outcome of this process was the establishment of social media, which impacts the everyday lives of individuals in Afghanistan. But has social media also played a role in transforming Afghanistan into a more diverse and democratic society?

Since the introduction of 3G internet services in 2012, the number of internet users has increased considerably. Today, more than 10 percent of the population is online and partakes in social media activities, up from 0.1 percent in 2004. Social media easily enables its users not only to receive information, but also to produce

their own content, whereas classic media forms, such as printed newspapers, radio, and television, require far more resources and complex processing to be produced. Moreover, it allows the user to create his or her own personal networks and share information globally and instantaneously. The low costs to create and obtain individually tailored information make social media especially attractive for a war-torn country. Even though the media landscape has developed since the fall of the Taliban, Taliban groups continue to intimidate and attack those journalists who report about war crimes, in particular rape and topics that relate to what the Taliban has labeled the «breaching of religious norms.» Consequently, the physical production of good media outlets is often nearly close to impossible or associated with unbearable risks for journalists. By contrast, social media allows for someone to report on topics that might incur anger by some groups while staying anonymous at the same time. Furthermore, in a mountainous country such as Afghanistan, with its diverse ethnic, linguistic, and tribal cultures, which often prevent people from becoming more interconnected, social media has the potential to unite different cultural groups. It can overcome those geographic and cultural barriers and include people in discussions who live in remote and inaccessible areas. Nowadays, people share their concerns about issues such as the negative effects of administrative corruption on their lives or communicate their concerns regarding political events such as elections.

Sayed Asef Hossaini was born in 1980 in Balkh, Afghanistan, and grew up as a refugee in Iran. After the collapse of the Taliban, he returned to Afghanistan and studied sociology and philosophy at Kabul University. He ran for a parliamentary seat in the 2005 elections as an independent candidate. In 2008, he received a German scholarship to study public policy at the Willy Brandt School of Public Policy at the University of Erfurt. From 2011 to 2016, he conducted his doctoral research on power structures in Afghanistan's rural communities at the same school. Currently, he is working as an online editor at *Deutsche Welle*. He has published five books, including poetry anthologies and political notes.

Who are the users in Afghanistan, and which apps do they use?

Hardly surprising, most of the users belong to the generation of digital natives. These are young people who grew up in the age of the internet and have been exposed to information technologies all of their lives. Most users have a certain level of basic education and are more likely to come from urban middle-class families, which have comparatively more access to smartphones and technological devices. However, there are also a growing number of internet users in rural areas.

As in most countries around the world, Facebook is the most popular social media platform in Afghanistan. Having grown rapidly in the wake of 3G internet services, the number of Afghanistan-based subscribers reached 2,600,000 in 2016, with 86 percent being male and 14 percent female. Before the construction of optical fiber grids in the late 2000s, social media was limited to a very manageable number of online chat rooms and blogs. Weblogs were the first form of social media, which social activists still use today to promote political issues. The founding of web hosts in the neighboring country Iran paved the way for the success of blogs in Afghanistan. Due to the growing popularity and proliferation of weblogs, social bookmarks and newsgroups emerged to provide updates about websites in Pashtu, Dari, and English, as well as to highlight and rate selected articles. Sometimes the managers of these portals also contribute their own editorials. These aspects make social media attractive for young Afghans, as they assess the various features of different applications and develop individual usage strategies. For example, Facebook is used by Afghans for reaching the public or large groups of people, whereas WhatsApp, Viber, and Snapchat are mostly used for bilateral, closed-group communications. These apps are especially popular among women in Afghanistan, as they use the apps to communicate privately with male friends.

ethnicity, local region, religion, community, or other cultural characteristic they identify with. Young Afghans often use the internet to inform themselves about specific lifestyle trends. Via fashion blogs, they learn about global consumer trends and get in touch with what is happening outside of Afghanistan. As most Afghans do not travel internationally, the internet opens up enormous opportunities to gain insights into other worlds. In particular, those users who have more financial resources or work for international NGOs or governmental organizations modify their lifestyles with an eye on up-to-date trends in the West. This is a general trend. Within the last decade, Western fashion rapidly emerged in the bigger cities, and to some extent in more remote and rural areas as well.

Developing individual identities

Afghan users not only use social media to consume and get new fashion inspiration, but also to re-create and reshape personal identities. Open platforms and private chat rooms create spaces to exchange and pursue mutual passions. People with similar interests chat about their hobbies and join forces to realize their common goals. This may sound banal, but in a society that is mainly based on family and community ties, open exchanges with other people about your dreams and interests are very rare. As a result, the use of social media encourages many who have developed a taste for fashion or other interests to highlight their individuality and express their preferences among like-minded peers. The most remarkable sign of this development is the penchant of many social media users to choose a desired surname or create an individual nickname for their accounts. Creating an account provides the chance to practice individuality, since Afghan ID papers traditionally identify a person by her or his father's name instead of a surname. While nicknames expressed ideological or nationalist notions during the civil war of the 1980s and 1990s, chosen names nowadays are affiliated with more cultural, literal, or historical concepts, such as Farhang (culture), Khorshid (sun), or Meetra (the god of light).

AFGHANISTAN Facebook usage

Source: We Are Social Singapore (2017)

Percentage of Facebook users declared as female:

14 %



Percentage of Facebook users declared as male:

86 %

The internet as an access tool to Western fashion

Overall, Afghan users create and share individual news items that are linked to their

Mobilization platforms for sociopolitical activism

The sociopolitical activities of Afghan internet users are mostly expressed in the form of debates about current policies or the overall security situation. Discussions are not limited to supporters of the government or the opposition. Moreover, the topics and participants in these discussions represent the inherent complexities of Afghan politics, covering ethnicity, religion, sectarianism, modernity proponents, as well as conservative and traditionalist actors. All of these sides engage in social media debates and use the web as an operative platform to mobilize supporters, extend networks, and organize collective actions. One example is the protest movement Uprising for Change (Rastakhiz-e Taghir), which was created as a response to the massive suicide attack on May 31, 2017, in Kabul – an attack that claimed hundreds of victims. Within the scope of Uprising for Change, a huge number of protesters met in Kabul city and called for government reforms to stop the violence. Sadly, security forces opened fire and killed at least five of the protesters. The Enlightenment Movement (Jonbesh-e Rowshanayi) is another protest movement, which was organized online by young, educated Hazara, an ethnic minority that mostly follows Shiism in Afghanistan. The movement accused the government of the irresponsible implementation of an energy project in Hazarjat in central Afghanistan. Both of these protest movements broadly benefited from social media, as they managed to mobilize a large group of demonstrators, which would not have been possible through word of mouth. Against the background that it is too dangerous in Afghanistan to spend much time in public distributing flyers or putting up posters, the role of social media as a sociopolitical and cultural mobilizer is a clear asset. In this regard, social media also presents an opportunity for collective humanitarian action. For instance, after terrorist attacks, hospitals, doctors, and private people made calls for blood donations for the victims on social media platforms. Activists directly posted the needed blood groups and the addresses of the hospitals. Furthermore, online platforms are also an alternative when meeting in public spaces is considered dangerous or unfavorable due to the risk of suicide

attacks or missing infrastructure, such as public transport, cafés, or meeting rooms.

Advertising warfare

During their regime, the Taliban strictly opposed any trappings of modernity, such as photography, TV, music, and sports. Recently, though, they have recognized the benefits of social media for their war propaganda and now use Twitter to claim responsibility for attacks. Taliban groups

AFGHANISTAN

The digital revolution comes to Afghanistan

The telecommunications landscape stagnated in Afghanistan for many years due to war and civil strife. The only (state-owned) television channel was put out of commission after the Taliban took control of Kabul in 1996. Fixed-line phone services were sparse, and internet connections were non-existent. Although conflict is still rife, the telecommunications sector has begun to flourish. By the end of the Taliban regime, internet users numbered in the hundreds; today it is more than 2.2 million. The state-owned television channel went back on air and, with private enterprises becoming involved, the number of channels has ballooned to more than 90. The lack of fixed-line infrastructure and the cost of installing one led Afghans to adopt the usage of mobile phones, which now have an 80 percent penetration rate. The expansion of telecommunications systems became a focal point for driving economic development. An increasing number of Afghans are turning to online bazaars for everything from electronics to vehicles and houses. For the young and educated, especially women, job searching is also done online, with email being the preferred form of communication, given the absence of a well-functioning postal service. Social media apps have also established a foothold in the country, with subscribers to Facebook, Twitter, WhatsApp, Telegram, and other platforms increasing day by day. Their presence is aiding progress in civil society, allowing people to follow their political interests, organize protests, mobilize strikes, and voice their opinions on various platforms. However, not everyone has welcomed this development. Having faced frequent protests concerning the deterioration of security and governmental corruption, including electoral fraud, conservative lawmakers have tried a few times to limit social media access. One example is the recent attempt to ban WhatsApp and Telegram. News of this spread swiftly over social media, and the Ministry of Communication and Information quickly backed down after a strong public outcry denouncing the attack on freedom of expression. The government, though, is embracing other aspects of the digital revolution. A «one-stop shop» (*Asaan Khedmat*) for common public services, government services for businesses, and auxiliary services from the private sector has been established. The goal is to improve the efficiency and effectiveness with which public services are delivered and enhance responsiveness to the needs of Afghan citizens and businesses. Its implementation is the first step toward e-governance, greater transparency, and accountability. The digital landscape in Afghanistan has a lot of catching up to do, but it is making steady progress.

also use social media channels to post videos of attacks to attract followers and recruit new members. In October 2016, for example, the Taliban recorded a drone attack on the Helmand Police Headquarters. Taliban supporters generally cannot be recognized through their profile accounts, as they use aliases and photos of pretty women. However, their open comments show support for the Taliban and other insurgency groups. The demonstration of support for the Afghan National Army (ANA) shows another relation between warfare and social media. There are a number of photos on online platforms that show women presenting a red rose to ANA soldiers to encourage them and thank them for their sacrifices.

How has social media changed Afghan society?

Social media has become the first source of information for many people in Afghanistan. Whether Afghans are interested in the recent terror attacks or the latest fashion trends, they will first visit social media pages. The availability of this information leads to a process of becoming more aware of social changes. Many people in Afghanistan are now confronted with wide-ranging news that they previously were not exposed to. After all, Afghanistan and its citizens were cut off from news and world events

for decades, due to ongoing conflicts and wars. The understanding of Afghanistan's role in global politics, culture, and consumerism has thus grown. Internet access now evokes a feeling of connectedness to a world and life outside of a war-torn Afghanistan. This may lead to more interest and open-mindedness about new lifestyles, values, and opinions.

Second, social media offers a private sphere for people to communicate about issues that cannot be addressed in public life. Too often, the parents or close family members of young Afghans do not allow private meetings between friends, especially if these friends are of the opposite sex. The many social restrictions – especially that women face – leave little room for one to express their personality. Social media, in this case, can provide a kind of digital safe haven for young people to communicate and freely explore aspects of their own identities. In a society where family comes before the individual, social media is clearly an asset.

Keeping in mind the difficult gender relations in Afghanistan, the private sphere and the potential anonymity of the internet offer great opportunities for women. It gives them the possibility to express their opinions, wishes, and goals, and to present themselves to a certain distinguished public – actions that could be life-threatening in the offline world. Online, they can speak

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Snapshot

Source: *We Are Social Singapore (2017)*

Total population:
33,770,000

Internet users:
4,010,000

Active social media users:
3,000,000

Mobile subscriptions:
25,200,000

12 %

9 %

75 %



and comment on sensitive topics such as hijabs, religion, women's rights, abortion, sexuality, sexual harassment, and domestic violence. Apart from a small number of well-known female activists, most Afghan women do not show their personal pictures on social media. Instead, they use Indian or Iranian popstar photos to hide their real identities. This is a safety measure, revealing that women must remain cautious, even online. However, they perceive the virtual sphere as being safer and interact online more than in real life. One very successful online campaign initiated by women has been #WhereIsMyName? (Namam Kojast?). The campaign fights for a woman's right to have her own individual identity and to stop identifying females only in relation to men. In Afghanistan, men commonly avoid saying the names of their mothers, sisters, daughters, and wives, because this is considered dishonorable. Instead, people call women «mother of,» «sister of,» «wife of,» «daughter of.» The campaign #WhereIsMyName encourages men to use the names of their female family members. Another example of this development comes from a film about sexual harassment in Kabul, released on social media in 2013. The film, which went viral, touches on the sexualized and disrespectful treatment of Afghan women in public life, and soon sparked a debate on different online channels. Thus, the issue of women's rights has a prominent role in public debate, and they achieved some of their demands, for example the appointment of women as ministers, the passing of laws concerning sexual harassment, and the trial of perpetrators of sexual crimes. However, it is apparent that some changes, such as social behavior and perceptions toward women's social roles, require long-term activism.

How has social media contributed to democracy and pluralism?

Afghanistan is looking back on four decades of war. It would be naive to assume that new information technologies alone could unite divided communities and heal the deep wounds of wars. Yet, there are perceptible changes in the behaviors of Afghan citizens today. The better access to information, the establishment of communication platforms, as well as the creation of social networks are

not a matter of course in Afghanistan. Sharing opinions and discussions online with people from all over the country teaches its users to learn about different perspectives, needs, and opinions. Sociopolitically active users experience fewer hierarchies in their interactions than they probably would if they worked in a government position or an NGO. Social media has provided space for individualism and created more mutual understanding through the acceptance of other standpoints. It is no exaggeration to state that social media has played a critical role in mobilizing, empowering, shaping opinions, and influencing change in Afghanistan. To a certain extent, Afghanistan has even slowly changed into a more pluralistic society. Surfing social media pages owned by Afghan users shows that experiences with this media convey values such as participation, joint decisions, and freedom of speech, thereby enhancing democratic debates. One can clearly learn from this online debating culture, which might well influence sociopolitical behavior in physical life. However, the fact that there are – and will continue to be – backlashes should not be ignored. After all, hate speech, radicalization, and online harassment are also part of daily social media use.

In general, young people in Afghan society do not have a chance to assume responsibility until they become adults. For the young and politically engaged, social media can be an outlet for activism to direct public discourse and influence the political decision-making processes. The fact that the Afghan president and executive president are both active on Facebook and Twitter shows the growing importance and impact of social media in national politics and how it is becoming a relevant sphere for the development of political discourse. Governmental stakeholders seem to have recognized how best to reach out to young people, who constitute the biggest voting group in the country. In this context, social media, especially for women, poses an important step toward democratic thinking and inclusion.



«Restricting Women's Space on the Internet Is a Violation of Their Rights»

An interview with Nighat Dad by Fabian Heppe

Women in Pakistan have long faced sexual harassment in public spaces. Now, with the rise of new information technologies, it has followed them into the online world. Pakistani activists such as Nighat Dad, founder of the Digital Rights Foundation, are helping to make the internet safer and more accessible for women. In this interview, she talks about women's experiences online and how virtual abuse can be countered.

Last year, Pakistan's first social media star, Qandeel Baloch, was brutally murdered by her brother for «staining» the family's honor. She was known in Pakistan for speaking out on women's rights and fearlessly expressing her sexuality on the internet. Why did she have to die?

Qandeel Baloch was a social media celebrity who first received wide recognition when she auditioned for *Pakistan Idol* in 2013. Her audition quickly went viral, and she became one of the top 10 most searched persons on the internet in Pakistan. She used her media presence to challenge the norms of a typical patriarchal society by attempting to claim her space online and by commenting on «women's position in Pakistan.» Even though she had the following of millions on the internet, she still faced online harassment, against which she was particularly helpless. She was eventually killed because a male-dominated society could not handle an outspoken woman who dared to shatter the glass ceilings of patriarchy.

Qandeel Baloch's case is not one-of-a-kind. A study you conducted found that 40 percent of women in Pakistan face online harassment.

In Pakistan, women are told not to speak up about the abuse they face because of «what people will think.» The public image of female family members and their exclusive affiliation with a family's honor makes them even more vulnerable to online abuse. With more than 136 million mobile phone users and 34 million internet users in Pakistan, online spaces have today become the new crucible of women's safety. Their fear of being subjected to more abuse if they speak out about an unpleasant comment that they received online takes the front seat in their experiences on the internet. Qandeel's murder is a real-life example of this, and it shows that online harassment is linked with offline consequences. This is why women need special protection on the internet. It has been decades and centuries since women have been free to speak their minds and hearts without fear of getting a hate message from a random person, either online or offline.

Nighat Dad is executive director of the Digital Rights Foundation. She is an accomplished lawyer, a human rights activist, and a pioneer in the campaign for open internet access in Pakistan and around the world. She is a 2017 TED Global Fellow, one of *TIME* magazine's Next Generation Leaders, and a recipient of the Atlantic Council Freedom Award and the Human Rights Tulip Award. She is fascinated by the enormous opportunities that the digital world offers, but she dislikes how the most marginalized are being even more suppressed and silenced in the virtual realm.

Fabian Heppe is a project manager for the Asia department at the Heinrich Böll Foundation. He is fascinated by sport apps that track his mileage and average speed when he goes for a run. At the same time, he is easily annoyed when his apps tell him that he did not reach his weekly goals.

With 75 to 80 percent of the users online being men, the internet in Pakistan is masculine. How does this affect women's use of the internet?

Women have consistently been denied access to public spaces because men cannot control their «masculinity» in public. As the use of technology rose, women were also barred from using the internet, because men already occupied the virtual spaces before women had access to it. One reason why women are constantly the subject of online abuse is precisely because they are a minority on the internet. Pervasive online harassment takes away women's will to voice their honest opinions in virtual spaces. For instance, I know a girl who only mentioned the fact that her hijab did not protect her from being harassed online, and she was immediately attacked by men until she finally decided to seek help. Unfortunately, these examples are not unique in the online realm. The data I collected indicates that more than one-third of women do not feel comfortable online and cannot share their pictures on the internet. This leads many women to self-censor, including those who would otherwise have the potential to play a part in bringing change to society.

As an online activist for women rights, you yourself have had such experiences and are exposed to online harassment on a daily basis.

Yes. I, too, was one of those women who was at first barred from using the internet. As I began to support victims of cyber harassment, I received numerous death threats. When I decided to take some time away from the Internet and deactivate my social media accounts, in the eyes of random online men this was regarded as an attention-seeking move and they began body-shaming me. To some extent, I am, even today, after all this time, still scared of the threats I receive online.

Yet, laws against electronic violence against women exist in Pakistan, and men can be prosecuted if they harass women online. Why do these legal measures not help increase the safety of women online?

The problem is that a vast majority of women do not know that these laws exist. Our research found that a staggering 72 percent of women are unaware of any such laws. Moreover, 70 percent of the respondents said that they have never reported online harassment to law enforcement, and 47 percent of the whole of respondents of the report said that the law enforcers would not take the report seriously. This particular finding indicates the stigma around reporting online abuse. Young women told us that the Federal Investigation Agency, which is responsible for handling cybercrimes under the law, has blamed the women for being harassed and reportedly asked them to stop using social media.

Your findings seem to contradict the initial promise of the internet for the disruption of old power structures and greater individual freedom. What role do new technologies really play in overcoming old patriarchal structures in societies such as Pakistan?

Although there are setbacks for women's digital rights, the internet has nevertheless proven to be an extremely useful platform for people, regardless of their gender and sexual orientation. Restricting a major chunk of the population from accessing it is a violation of their rights. Throughout the course of my work, I have come across many women who are running proper businesses online. The internet opens a window to a flood of information for them. These are examples of how

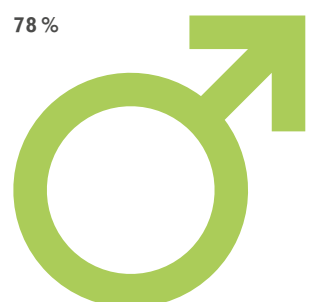
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**Total number of
monthly active Face-
book users:**
31 million

Source: We Are Social Singapore
(2017)

22 %



78 %

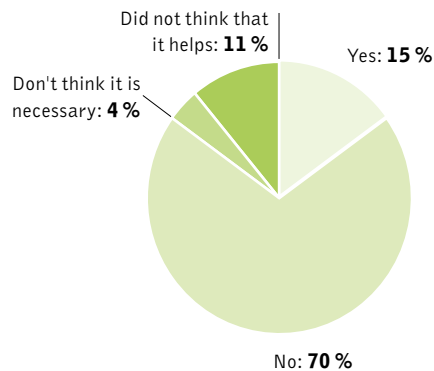


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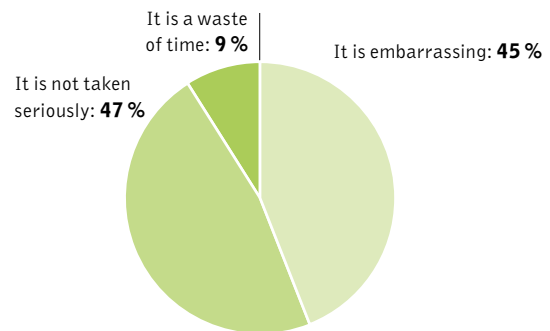
Cyber harassment

Source: Cyber Harassment Helpline six-month report December 2016

Have you ever reported online harassment to a law enforcement agency?



Why do you think that women do not report online harassment?



they empower themselves within patriarchal structures. In a society such as Pakistan, where women are not encouraged to be one of the breadwinners and were once stopped from acquiring advanced knowledge on any subject, women are doing exactly the opposite of what is expected of them. They are now using logical arguments against every illogical slur that men throw at them. The national and controversial discussions around Qandeel Baloch's death show that things are slowly changing.

Qandeel Baloch's murder was widely condemned by people around the globe. Did the worldwide outcry over her death change the debate about women's use of the internet in Pakistan?

It's really unfortunate that a woman had to die to ignite a debate about women's safety on the internet in Pakistan. Qandeel's death made people more aware of the offline consequences of online harassment. While a lot of people mourned her death, policymakers moved to pass legislation aimed at curbing online harassment and criminalizing honor killings. The government passed the Prevention of Electronic Crimes Act in August 2016 to criminalize hate speech and online harassment. Qandeel's death particularly affected me a lot, so Digital Rights Foundation set up Pakistan's first Cyber Harassment Helpline with the few resources we had. It is my attempt at extending support to those who are in need. I often wonder, had I moved to establish the helpline earlier, would Qandeel have called for help as well? This helpline is my way of paying tribute to Qandeel and the legacy that she left behind – a free woman.

What needs to be done to render the internet in Pakistan more safe for women?

In my opinion, there is a need to properly implement the cybercrime laws in the country, along with gender-sensitizing training for the people handling the complaints of online abuse. More importantly, there is a need to build a support system for survivors and victims of online abuse, because without a network of support, they will not be able to perform even their day-to-day activities. I believe that women need to empower each other in order for them to counter the abuse that they face online and offline. ■■■

Pakistan's Cybercrime Law: Boon or Bane?

Farieha Aziz

The Prevention of Electronic Crimes Act 2016 was the subject of much resistance and, as a result, forced debate. Dubbed a controversial piece of legislation that would severely impact citizens' rights to expression and privacy, it drew criticism from civil society, industry, media, and the political parties in opposition. Cited as the need of the hour to counter rampant online harassment and terrorist content, it was bulldozed through by the government in spite of resistance. This piece takes stock of the debates around the law's passage and its implementation, a year on since its enactment.

On August 11, 2016, the Prevention of Electronic Crimes Act (PECA) was passed by the National Assembly of Pakistan. A controversial piece of legislation, PECA may go down in history as one of the most hotly debated laws. However, the debate was not a natural outcome of what a democratic legislative process should be. The attention PECA received was primarily because its authors and movers tried to keep the legislative process secretive while avoiding consultations every step of the way.

Resistance to making the bill public, circulating outdated versions – even with parliamentarians – and then bulldozing it through the parliamentary committee and lower house of parliament were some of the tactics employed by the government to prevent any debate or scrutiny of the proposed law. Opposition parties, who were initially fierce in their resistance, ultimately met the government halfway and agreed to lend support to the bill with some amendments. The amendments were cosmetic, but the

self-satisfying justification that the amendments would check abuse allowed it to sail through the Senate – the upper house of parliament – which enjoyed an opposition majority. After the rights and business community called out the opposition parties on this, there was a change of heart when the bill came up for a vote in the lower house of parliament. Though the opposition parties voted against it, it was too late. The ruling party's two-thirds majority in the National Assembly ensured that PECA would see the light of day.

Why is PECA more sinister than earlier cybercrime legislation in Pakistan?

What makes PECA markedly different from earlier versions of (now defunct) cybercrime laws is that the former laws dealt primarily with computer-related crimes, whereas PECA introduced sections that criminalize speech and give authorities unchecked powers to curtail and prosecute it.

The justification for these sections was the need to bring all legislative efforts in line with the 12-point National Action Plan, which was issued by the government in response to the terrorist attack on the Army Public School in Peshawar in 2014, when more than 141 people, mostly school children, were killed. Three phrases in particular became siren calls to rally support for the law: the need to check extremist content, prosecute hate speech, and curb online harassment of women.

One of the concerns with PECA is whether, on principle, some of the powers

Farieha Aziz is a Karachi-based, award-winning journalist who has received wide recognition for her campaign against the Prevention of Electronic Crimes Act of 2016. She is a co-founder of the digital rights and civil liberties group Bolo Bhi. She regularly conducts digital safety courses on how to protect oneself online and seeks to raise awareness about the pitfalls of the cybercrime law. She is a contributing writer to *Dawn*, *The Express Tribune*, *Aurora*, and *Newsline*.

given to authorities should lie with them in the first place. For instance, Section 37 of PECA gives unbridled powers to the Pakistan Telecommunications Authority (PTA) to block or remove online content, thereby restricting the right to freedom of expression, as guaranteed by Article 19 of the constitution. The PTA has a history of censorship and making requests to foreign platforms to block and remove content. The specific instances of speech and content that fall within or outside the exceptions listed in Article 19 are left to the sole discretion of an executive authority that functions directly under the government and receives policy directives from the Ministry of IT and Telecommunications. The PTA now has the ability to exercise usurped power to make judgment calls as to how Article 19 is to be interpreted and applied, and decide what may or may not be accessed or consumed

by internet users in Pakistan, placing a legislative and judicial function in the domain of a single government authority.

Whereas Section 37 extends unchecked powers, other sections of PECA impose criminal penalties on certain kinds of speech. Section 20 – «Offences against the natural dignity of a person» – introduces criminal defamation through a vaguely worded section that stipulates a three-year jail term and a fine that runs into the millions of rupees. Its broad language enables misuse to settle scores and/or take dissidents to task. Moreover, although prosecution of the offense lies with the courts, complainants can at the same time petition the PTA to remove and block the content in question. Under the law, the PTA can act unilaterally against such content, without first requiring a court order. This procedure gives the state yet another tool for dealing with content that is not palatable.

The noose tightens

In January 2017, five bloggers disappeared. The reason for their disappearance is thought to be linked to what were anonymous Facebook pages, allegedly used by them, to spread «anti-state» propaganda. Soon the pages, the activity, and their alleged administrators were accused of publishing and spreading blasphemous content. The campaigns that were run against them made the same claims about the activists advocating for their release. These rights activists were vilified online and on television, accused of supporting blasphemers and of committing blasphemy themselves, simply for maintaining that due process of law should apply to all and that extralegal measures must not be used; if anyone was indeed guilty of a crime, they should be charged and prosecuted. But despite reports to both the PTA and the Federal Investigation Agency (FIA), no action was taken against the people operating the accounts and pages running such campaigns, nor were measures taken to block the sites themselves, thereby putting the activists' reputations and lives at risk. Instead, the law and authorities took action against the *Khabaristan Times*, a satirical news website. Invoking the powers of Section 37, the site was blocked on the grounds that it published «anti-state» content.

Although PECA was not used to charge the bloggers, the incident signaled that

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The safe transportation of women as a business model

Getting around in Pakistan is not the easiest thing, as the public transport system is fairly underdeveloped. If you take the bus, you can expect to run late, and taking a cab often means that you arrive soaked with sweat due to the lack of air conditioning. Here is where the car-sharing platform Careem steps in. This Dubai startup builds on an app service much like Uber, connecting private drivers with customers, who can order the «pick & drop» service on demand, and on the go. Instead of negotiating the price, as you would when taking a cab, fares are calculated by the app. Drivers have to go through a thorough security check and background screening, guaranteeing the safety of the customers. Careem entered the Pakistani market in 2015 and is now available in all major cities in Pakistan. The success of the app has sparked protests by local taxi and rickshaw drivers, and the Punjab government attempted to ban the car-sharing company in January 2017. Whereas normal taxi drivers fear for their livelihoods, Mudassir Sheikha, the Pakistani co-founder of Careem, claims to have a social vision: to build an institution to improve people's lives and create one million job opportunities in Pakistan by 2020. However, in some cases, Careem is still having difficulties in appealing to its customers. One advertising campaign backfired: A *rishta*-auntie – or a professional matchmaker – was offered in order to discover the perfect match for the customer while driving them to the office. Young, educated, urban women – Careem's main customers – were especially offended by this promo. Prior to Careem, transportation was a problem for women in the cities. Living in a highly patriarchal and misogynistic society, they had to mostly rely on male relatives to get around – until Careem made it easy and safe to hire a ride (which can be tracked in real-time). It provides independence and has revolutionized the social lives of many. That is why the *rishta*-auntie promo was seen as a slap in the face, reminding women that they are still caged in a society that sees heterosexual marriage as the ultimate achievement in life, and the only structure in which a female body can exist.

speech on social media was under scrutiny and that measures – even if extralegal or devoid of due process – would be used not only to curb speech, but also to hold the alleged perpetrators to account. This created an environment of fear.

Pressure kept mounting through the courts as well, as a result of petitions regarding the availability of blasphemous material online. The then-Minister for Interior, Chaudhry Nisar, threatened to shut down social media platforms if they refused to comply. The PTA put out SMS alerts saying that blasphemy was a punishable offense, and that such material as well as the persons engaged in spreading it must be reported. In April 2017, Mashal Khan, a student of Peshawar University, was lynched at his university. He had been accused of posting blasphemous content from his social media accounts – accounts that he said were fake and had put out content in his name.

These incidents struck fear in the hearts of people. Zero tolerance for dissent was clear, but now it came with the very real possibility of being slapped with dangerous allegations of blasphemy and threats of being lynched for something one might not have done at all. A mere allegation, a hacked account, or a fake account in one's name was enough for the pronouncement of guilt, which could lead to legal consequences, and even death at the hands of a mob. During this time, many people deactivated their social media accounts and/or became silent on «contentious issues.» Self-censorship became the viable option as a means of self-protection for many.

The intended consequence of PECA

As time progressed, the intent behind the law began to reveal itself. There came a wave of detentions. Political activists and journalists were issued summonses to appear before the counter-terrorism wing of the FIA for an investigation into «anti-state» activity. They were asked to appear with their electronic devices. In some cases, these were seized and searched – without first obtaining a warrant, as required under law. A list of 200 Facebook pages and Twitter accounts was put together by the FIA's counter-terrorism wing, comprising those allegedly engaged in propaganda against the armed forces and state institutions. A case under Section 20 of PECA was lodged

against a political activist in Lahore accused of such propaganda. With this, PECA's intended aim was realized.

In the name of protecting the people, what the state did through PECA was amass powers to protect itself from criticism, strip citizens of speech and privacy rights, and subject them to the discretionary powers of investigative agencies.

Whither PECA?

Although the state apparatus was quick to act to advance its own aims under PECA, one witnessed a sluggish approach when it came to litigants seeking relief under the law for its stipulated aim: to curb harassment.

Regarding harassment, the narrative went like this: Because there was no law, perpetrators knew they would go unpunished. Once the law was introduced, it would serve as a deterrent, there would be a decline in the number of crimes, and people would be charged for them.

In the first few months after the passage of PECA, the reports of arrests of those involved in online sexual harassment (charged under Section 21) was a somewhat frequent occurrence. But beyond this hype, progress was slow. Just as the PTA and FIA took no action against people for the pages and accounts vilifying activists and journalists, citizens routinely complained of not hearing back for long periods after submitting their complaints – in cases that, to them, required urgent attention.

After the complaints and arrests came the trial stage. However, the trials could not commence because the special courts set up under PECA had not been notified about their new designation – a process the government was supposed to have initiated. This too was a realization that came later: Once cases made their way to court, litigants discovered that the judicial officers had no jurisdiction to try them. The official notification for the designation of courts was issued on March 31, 2017, seven months after the passage of a law that was deemed very urgent. In Sindh, there was no clarity until May 2017, when cases began getting transferred to the designated courts. Until June 2017, courts were in a state of disarray, unable to determine jurisdiction in some cases – whether they were to be tried by the magistrate or the court of sessions. This was precisely the reason rights and industry groups recommended that a

six-month training session on the technical and legal aspects be mandatory for any judicial officer before whom PECA cases would go. But, like several other recommendations, this too had been disregarded.

For months on end, litigants and their families showed up, only to leave with yet another date for their case. It was not until September 2017 that trials under the law commenced in Karachi. Court records show that the reason for delays and adjournments in cases is due to the absence of the state prosecutor, who rarely shows up to hearings. Part of this is due to the fact that there is just one state prosecutor to handle all the cases for the province. This came after the insistence by the government to make sexual harassment a cognizable offense in which the state is a party and not the individual complainant, authorized to arrest people without warrant and lead the prosecution. An increase in the number of trained prosecutors to share the load was not part of the planning. Similarly, forensic reports in these cases remain unavailable due to a backlog and a lack of capacity.

Though many litigants hired private counsel to move their cases along, procedure requires the state prosecutor to be present for a matter to proceed. Many litigants now want to settle rather than go through the arduous process of the law, but the law does not give them that option either.

The solution to every problem is not a legal one, and what seems convincing on paper usually does not reflect on-the-ground realities and the mechanics of the system it needs to engage with to deliver. What was presented as a beacon of hope to hapless victims of online crimes – blackmail and harassment in particular – became a curse for those seeking relief.

Control rather than relief

Every criticism of the law as well as all the fears – which were labeled as unfounded – have come to pass. During a discussion in July 2017, senators raised the issue of the misuse and misapplication of PECA, calling for scrutiny of the law and requiring the FIA to submit its report. August 2017 marked one year since the passage of PECA. Under PECA, the FIA is supposed to present both houses with a biannual report – the first of which is still awaited.

PECA is a classic example of what is wrong with the law-making process and why it is never wise to accept at face value any legislative attempts in the name of «national security» and «for the public good.» The intent behind PECA was always to control rather than provide relief to the average person – and it is this intended aim that is being pursued. ■■■

Aadhaar: The Indian Biometric ID System Has Potential but Presents Many Concerns

Sushil Kambampati

The Indian national identity system, Aadhaar, ensures that a person is enrolled by the government only once based on their biometrics. The ID was set up by the government to reduce fraud and improve efficiency in welfare programs, empower disadvantaged groups, and enable digital innovation. However, despite the good intentions, it has sparked civil-society protests due to a lack of consultations with the public, perceived failures in delivering on promises, and fears of government intrusion.

The digital revolution has made information accessible to people on a massive scale. However, it has also made information about people equally easy to access. Thus, private companies and governments can collect vast amounts of data as people make electronic transactions, access services, or share their personal lives online. Against this background, societies have to decide where to draw the line between the benefits of digital data and the loss of privacy. In India, this struggle is being played out over the national identity system, known as Aadhaar.

Aadhaar is a central government program that ensures each legal resident (foreign included) in the country has one unique identity based on biometric data that includes facial image, fingerprints, and iris scans. It also collects basic demographic data such as address, date of birth, and a parent's name. The government initiated work on it in 2009, and the first ID number was issued in 2010. Today, Aadhaar is the world's largest biometric ID system, with nearly 1.2 billion enrolled members.

At first, the Indian government promoted Aadhaar as a tool to improve efficiency in welfare programs. Now the ID is required for dozens of other government and private business services. In most cases, beneficiaries are only required to add their number to their accounts. For example, by adding it to a bank account, individuals can receive welfare payments through direct deposit. In other cases, such as for food distribution, they must perform a fingerprint or iris scan at the distribution point.

Two main concerns prompted the government to consider a unique identity for all citizens. The first was to prevent fraud through multiple identities. The other was to expand benefits coverage to those who had no identity documents, including a substantial portion of women. Thus, the idea of tying subsidies to an individual biometrics-based ID caught on. It would ensure that everyone had one – and only one – identity, and it guaranteed the precise targeting of benefits. The idea appealed to politicians and the private sector as a bold, modernizing step for India, and it became a core part of the strategy known as «Digital India.» Decision-makers saw in Aadhaar the potential to transform day-to-day transactions and go from using dog-eared ID cards and handwritten ledgers to paperless digital records.

Good intentions but a bumpy start

Despite the good intentions, the adoption of Aadhaar got off to a bumpy start. It was initially a bureaucratic creation not backed by any law. This led to numerous court chal-

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allenges, and the ID did not come into use until February 2016, when the legislature passed the Aadhaar Act. However, lacking the adequate number of votes in the upper house, the ruling party used a shortened legislative process meant for taxation and spending bills. This led to further court challenges and an outcry that demanded consultations be held with the public.

While cases piled up at the Supreme Court, the central government continued to issue regulations that required the Aadhaar program for many other welfare entitlements (school lunches, crop insurance, vocational training, Bhopal gas leak compensation), financial activities (filing tax returns, opening bank accounts, large money transfers), and private business services (mobile phone connection, purchase of high-value items).

Aside from the legal challenges, Aadhaar also faces a legitimacy challenge. Although some saw in Aadhaar exciting new possibilities for digital initiatives, it was met with criticism from civil society at its very introduction. To better understand the arguments on both sides, it is necessary to examine the potential benefits and criticisms of Aadhaar.

Getting rid of paperwork and facilitating transactions

Aadhaar was initially offered as a remedy to perceived leakages in welfare programs, but it also offered a way to transform identity management in India. Since 2016, the central government has embraced both uses with vigor, requiring the ID for almost all interactions. By attaching their Aadhaar identity to online accounts, people may electronically sign online forms, eliminating the need for paper documents and signatures. State governments have also started requiring it, even for students to participate in sporting events. In nearly all cases, its use is justified as a way to prevent fraud, such as sending a stand-in for tests or examinations.

Beyond using Aadhaar as a control over identity, the central government has created several digital initiatives that promise to transform what is considered business as usual. The government empowered a semi-private organization to create a payment infrastructure to enable the easy transfer of money between individuals and businesses. Private businesses may also use Aadhaar to authenticate the identities of employees or

clients. Many companies need to establish customers' identities, sometimes by law, as in the case of mobile network operators. Aadhaar can speed up this process by using fingerprint scanners to instantly establish a person's identity in order to get a mobile connection. In 2016, for instance, the Reliance Company enrolled about 100 million customers in less than a year by sending service representatives with connected scanners to customers' homes.

These examples show that Aadhaar does indeed hold great potential on multiple levels. Individuals need to provide less paperwork for registrations while government agencies can target beneficiaries of programs more easily. Businesses benefit too, because Aadhaar offers the possibility to streamline identification methods and thereby reduce fraud.

Digital dreams for some, dystopian nightmares for others

Of the many criticisms of Aadhaar, one of the main ones has been that Aadhaar fails to deliver the promised benefits. For example, opponents have challenged the cost savings in welfare programs attributed to it. They argue that fraud in welfare programs was already dropping starting in 2010 due to factors that had nothing to do with the new ID system. The lack of sufficient analysis makes it hard to know whether Aadhaar is generating savings, but so far, neither side has produced any solid data to support their views.

Another argument against Aadhaar is that the ID system fails to authenticate a person if their fingerprints are worn off, or if they have had cataract surgery, thus increasing the number of people who are excluded from benefits. Estimates for this type of failure are typically around 5 percent, but some put it as high as 10 percent. Even the lower rate would mean – in a population of more than 1.3 billion – an unacceptably high number of excluded people. Failures in the system do need to be pointed out so that they may be fixed. However, it is unclear how failures are defined and how pervasive they are. A «failure» could refer to a single instance of verification, or to the overall outcome. For example, say a person tries to authenticate with a thumb scan and fails, but then they succeed with another finger.

Depending on the definition, the failure rate is either 50 percent or zero.

Critics also worry about the possibility of the unauthorized copying of biometrics. If someone else gets a person's fingerprints, they are forever compromised, since it is not possible to change fingerprints like passwords. Moreover, individuals cannot control how fingerprint authentications can be used. If a bank, for instance, implements a poorly conceived system that only needs a fingerprint to transfer money, someone whose fingerprints were copied may lose their money without ever lifting a finger, as it were. To counter this threat, the government needs to adopt guidelines and regulations to prevent the misuse of biometric data.

The most vocal argument against Aadhaar is the concern of civil rights organizations that biometric data could be used for state surveillance. It is true that Aadhaar could potentially allow for the introduction of a physical presence surveillance system, and the appeal of such a system to governments for security reasons should not be lightly dismissed. Yet, such a system is also highly improbable. It would require immense investment in sensors, network infrastructure, and data storage. Setting it up and funding it would not go unnoticed. However, in order to gain the confidence of skeptics and mitigate these fears, lawmakers should limit the government's use of biometric data from Aadhaar for the purposes of surveillance.

Coupled with fears of biometric surveillance is the concern that Aadhaar enables the government to intrude into people's private lives. Critics have raised the specter of the government monitoring people's every purchase, thus knowing even small details such as what they eat and the color of their car. Although a unique individual ID that is common to all databases would make such tracking easier, it is also possible to do so without an individual ID. In the United States, which does not have an ID system like Aadhaar, the government planned a widespread data-collection initiative called Total Information Awareness (TIA) in the early 2000s. TIA was eventually defunded due to the public outcry over privacy concerns. The Indian government has already implemented its own version of TIA called Natgrid. Therefore, the true threat to privacy is not created by Aadhaar, but rather by government attempts at increasingly intrusive tracking.

Aadhaar is a system that is too big to fail

Despite the many criticisms of Aadhaar and the court challenges, there has not been a popular uprising against it. Since 88 percent of the estimated population has already applied for an Aadhaar number, it seems that most people have accepted it as a fact of life. Furthermore, the biometric ID system forms a cornerstone of the government's vision of digital society, so it will not give up on Aadhaar easily.

Some groups, such as female heads of households, have actively welcomed it because it gives them more control over their finances. There is even evidence that Aadhaar is a tool that can empower women to become more independent. For example, Aadhaar has dramatically increased female participation in formal banking activities.

Opponents of Aadhaar want to dismantle the system and destroy the database. However, Aadhaar has come to be

INDIA

YouRTI.in simplifies right-to-information requests

Right-to-information (RTI) laws empower citizens to engage with government and hold public officials accountable. In India, citizens have used RTI to get roads repaired, protect wildlife, fight corruption, and receive basic information about accessing government benefits. However, this has come with a cost. At least 56 people have been killed for their RTI activism, and twice as many have been assaulted. Social stigma has also severely limited its usage by women. Moreover, the process itself is cumbersome: Each government agency can have dozens of information officers dealing with different functions, creating difficult-to-navigate terrain. A required fee adds another procedural challenge. Finally, composing the query can be daunting for those who are less literate. YouRTI is a social enterprise that removes barriers to citizen engagement by providing a platform for anyone to make RTI requests, simply and safely. YouRTI analyzes the queries to determine the appropriate public offices from among the 10,000 agencies in the database. It then prepares and sends the requests to the appropriate public authorities. Responses are posted online for everyone to access, and information-seekers remain anonymous. For queries that are made in the public interest, there is no cost, which reduces obstacles. The aim is to make it almost as simple as posting a comment on a website. YouRTI scans the responses it receives, extracts the text, and makes it searchable. The platform also translates the replies, which are often in the local language of the responsible state agency, into English. Furthermore, YouRTI also integrates machine learning into the platform to automatically categorize the responses as replies, denials, or transfers. Activists who make frequent information requests can use the platform to save time and track the status of their queries. They can easily send a question to multiple offices, such as the same department in all 29 states, without doing the heavy lifting themselves. YouRTI's ambition does not stop with RTI requests. In the future, it will aggregate all public documents on the platform to create a single source for government information.

the primary identity document for many people. Those who are economically better off may have a driver's license, a tax ID card, or a passport, but the poorest members of society may only have Aadhaar. If they no longer have their ration cards, their right-to-work cards, or other such documents, shutting down Aadhaar would be a blow to them. Since Aadhaar has become widely entrenched in many systems, a rollback now might cause havoc.

Going forward, data privacy concerns do need to be addressed. There are many adversarial actors – from private espionage groups to foreign governments – who may try to exploit data vulnerabilities. There is also the threat of abuse of power by future governments. Creating and instilling strong

privacy protection laws now may decrease these risks. Here, the European Union's General Data Protection Regulations would be a good model to follow. In order to uphold democratic values, the government also needs to curtail its own powers concerning the tracking of all citizens and prevent the needless collection of data. Such protections may assuage the fears of critics and uphold Aadhaar's long-term legitimacy. The good news is that policymakers do seem to have taken notice of the need for a privacy law, and news reports say that they are working on a draft bill. If the legislative process takes into account public feedback and addresses the privacy concerns that people have with Aadhaar, it would provide a solid basis for more digital initiatives. ■■■

INDIA

Reach of Aadhaar's enrollment and uses

Source: State of Aadhaar report 2016–17

Aadhaar enrollment



1.14 billion
People enrolled in Aadhaar as of March 2017

85 %
of India's population in 2017



Authentication



139 million
Monthly average of people authenticating themselves using Aadhaar in the latter half of FY 2016–17

12 %
of Aadhaar enrollees



e-KYC



44.7 million
Number of bank accounts opened using Aadhaar e-KYC as of Mar '17

<16 %
of Jan Dhan accounts opened as of March 2017



Direct Benefit Transfer



22,006 crore (\$3.3 billion)
Total DBT payments sent using the Aadhaar Payment Bridge System in FY 2016–17

33 %
of the total DBT expenditure in FY 2016–17



Seeding



167 million
Numbers of PDS (food subsidy) beneficiary households with at least one member seeded to Aadhaar

72 %
of total beneficiary households



IT Giants in China: A Tough Business

Sophie Ping Sun

By August 2016, the number of internet users in China had surpassed 710 million, which is half of the country's population, and more than twice the entire US population. The scale of technological diffusion presents enormous economic opportunities for large IT companies, both in and outside of China. To the outside world, the mysterious Middle Kingdom presents many paradoxical characteristics in its development of information and communication technologies: China suffers from draconian internet regulations, but it also enjoys a prosperous internet marketplace; it attracts IT giants from the United States and Europe, but it has also expelled some of them.

How do international internet companies survive in China? What defines the relationship between Silicon Valley giants and Beijing? This article discusses the dynamics and relations of internet giants with China. It contends that the internet ecology in China should be viewed as a complex web of interactions involving the Chinese authorities, international internet giants, as well as domestic IT firms.

A giant's dilemma: A tale of two worlds

China's persistent efforts to build an internet empire have been apparent for the last three decades. For Western tech companies, however, entering the Chinese market has not been smooth sailing, given the stringent government rules, censorship, and surveillance. A prime example is the

Google-China conflict of March 2010, when Google announced its departure from China's search-engine market due to various difficulties, including «highly sophisticated and targeted attacks» it had suffered within the country.

The conflict is obvious. Whereas some emphasize the internet's innately liberating qualities, Beijing views the technology mainly as a utilitarian tool to drive China's wealth and power. Beijing has always regarded the internet to be an effective means of «economic and social development,» as it has stated repeatedly. Beijing has also been a strong advocate of «internet sovereignty,» meaning that the national government has the right to regulate the internet as it sees fit, so long as the computer network involves equipment, personnel, and resources that fall within China's jurisdiction. Such a stance on sovereignty contrasts sharply with the internet freedom discourse that has been encouraged by Western countries.

Google's withdrawal from China boosts its credentials on ethics, but it also means giving up an enormous market. Other big tech companies from the West have had difficulties, too, as Chinese authorities have blocked Facebook, YouTube, Twitter, Dropbox, and 3,000 other websites and online platforms.

For large platforms such as Facebook and Twitter, marching into the Chinese market would be a mixed blessing. Their entry would provide them access to 710 million Chinese internet users and a significant increase in their global businesses. However, the involvement would also necessitate compliance with Beijing's regulations, censorship, and even possibly force them to

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sacrifice user privacy and information security. For example, to meet their regulatory obligations, Facebook and Twitter would have to require its users to register with real names and conduct self-censorship. Is this a trade-off that they are willing to accept?

Giant tech companies, in this sense, are stuck in the middle: between the enormous size of the market on the one hand, and the principles of internet freedom on the other. Although many Chinese people are trying to go beyond the «Great Firewall» to access blocked foreign webpages – an activity known as «scaling the wall» (*fanqiang*) – this has become considerably harder since 2013, when President Xi further tightened the government's control over the inter-

net. Therefore, it is unsurprising to find companies such as Google, Facebook, and Twitter being marginalized in China's cyberspace, as well as the emergence of an almost entirely parallel Web 2.0 and social media world that is distinct from the norms of the global internet.

BAT: Replicas of Western giants

What kinds of social media platforms do Chinese people use? Who develops them? How do these digital platforms survive in China? If you travel around, it is common to find people using WeChat or Sina Weibo. These are social media platforms similar to WhatsApp, Facebook, and Twitter. It is interesting that most of the global digital platforms can find their replicas in China, albeit with slight differences.

With regard to homegrown digital media entities, BAT companies are leading the way. BAT is an acronym combining the initials of three jockeying IT giants in China: Baidu, Alibaba, and Tencent. Despite some overlap, the three giants' core businesses are distinct. Baidu is China's leading search engine, which is also involved in most online businesses such as blogs, forums, and online encyclopedias. Alibaba, famous for its \$25 billion recording-breaking IPO on the New York Stock Exchange in 2014, is China's e-commerce giant. Tencent is currently the most valued internet company in online games and instant messaging and owns the two most prevalent social media platforms in China: QQ and WeChat. Like Apple, Google, Facebook, and Amazon, which frequently trespass on each other's turf, the BAT companies also survive and thrive by competing and cooperating with each other.

From a Chinese perspective, domestic IT companies hold an obvious advantage due to their captive market because Facebook and Twitter have been blocked in China and Google has made its exit. However, although they have benefited from the absence of Western IT giants, this is not the only reason for their success. One has to also acknowledge that the trio holds the largest pool of creative talents in the country. By 2016, the total number of employees at Tencent had exceeded 25,000. Due to the state policy of encouraging entrepreneurship and innovation, BAT has become the tech powerhouse of China by maintaining

CHINA

Despite strict state control, digitalization is on the fast track in China

Internet access in China is restricted more than almost anywhere else in the world. Online media of any kind is rigorously controlled through a comprehensive set of laws and regulations, and many websites and platforms are censored or entirely blocked. According to the 2017 annual *Freedom on the Net* study by Freedom House, China ranked last for the third time in a row among the countries assessed. At the same time, China is one of the most advanced countries in terms of using mobile devices and apps for all aspects of daily life. Some companies started by copying international online platforms and adapting them for the domestic market. Currently, the big four Chinese IT companies – Baidu, Alibaba, Tencent, and Jindong – dominate the Chinese market and are also entering the global market. The two main competitors are Alipay (by Alibaba) and WeChat (by Tencent). These «one-in-all apps» allow users to manage their whole lives: pay utility bills; apply for appointments at hospitals; register a marriage; pay taxes and manage finances; use local transportation or shared bike systems; and pay at cafés and restaurants – basically everything can be done on a mobile device. In fact, people have to use these apps more and more or they will otherwise not have access to certain services. There are already places that do not accept cash payments anymore. For most Chinese people, this is not much of a problem, as they have embraced the convenience that comes with it. One of the many famous Chinese apps is Jindong, an online shopping platform and the main competitor to Alibaba's Taobao platform. Jindong started by selling electronic appliances; today, like Taobao, it offers almost everything. Delivery is often guaranteed within a day through its own delivery service. 58-Daojia («58 Home service») is one of the most commonly used platforms offering everyday home services, such as cleaning homes, home appliances, or clothes; repairing, moving, or fixing up furniture; driving and picking up people; finding nannies, beauty, health, or fitness offers, and much more. One of the most popular livestreaming apps is KuaiShou, which started as a photo-sharing app a few years ago. Many users have even managed to earn money through KuaiShou, as many of the viewers are willing to «rate» and «donate» money to watch people clean, iron, cook, eat, and so on. Despite comprehensive and strict online control and supervision as well as plans to build up a «Social Credit Regulation System,» a broad and critical debate about the government's and companies' use and misuse of private data is hard to find. This is due to censorship and also because Chinese users know that real privacy protection, online or offline, does not exist.

thousands of incubators and research centers. More importantly, as domestic companies, they are very familiar with the Chinese market and have established ways to stabilize and increase market demand.

The business success of a tech company in China depends a lot on the management's willingness to comply with state regulations. For instance, WeChat and Sina Weibo are actively involved in content censorship in China, and this kind of situation has deteriorated since 2017, in that more regulations on microblogging, VPN, and WeChat groups have been issued by the Beijing government. The censorship system is efficient in targeting sensitive issues in social media discussions and redirecting them to «Not Found» pages. Meanwhile, domestic tech giants have built good relations with different hierarchies of local and regional governments – an advantage that foreign competitors such as Facebook and Twitter would not have enjoyed had they been admitted to the Chinese market. This is because, on the one hand, on different levels of the Chinese government, there is skepticism of foreign IT companies, as they are seen as dangerous institutions promoting Western ideologies. On the other hand, many Western IT giants confront difficulties

in balancing the freedom of speech of their customers with the stringent censoring requirements of the government.

Playing a hard game

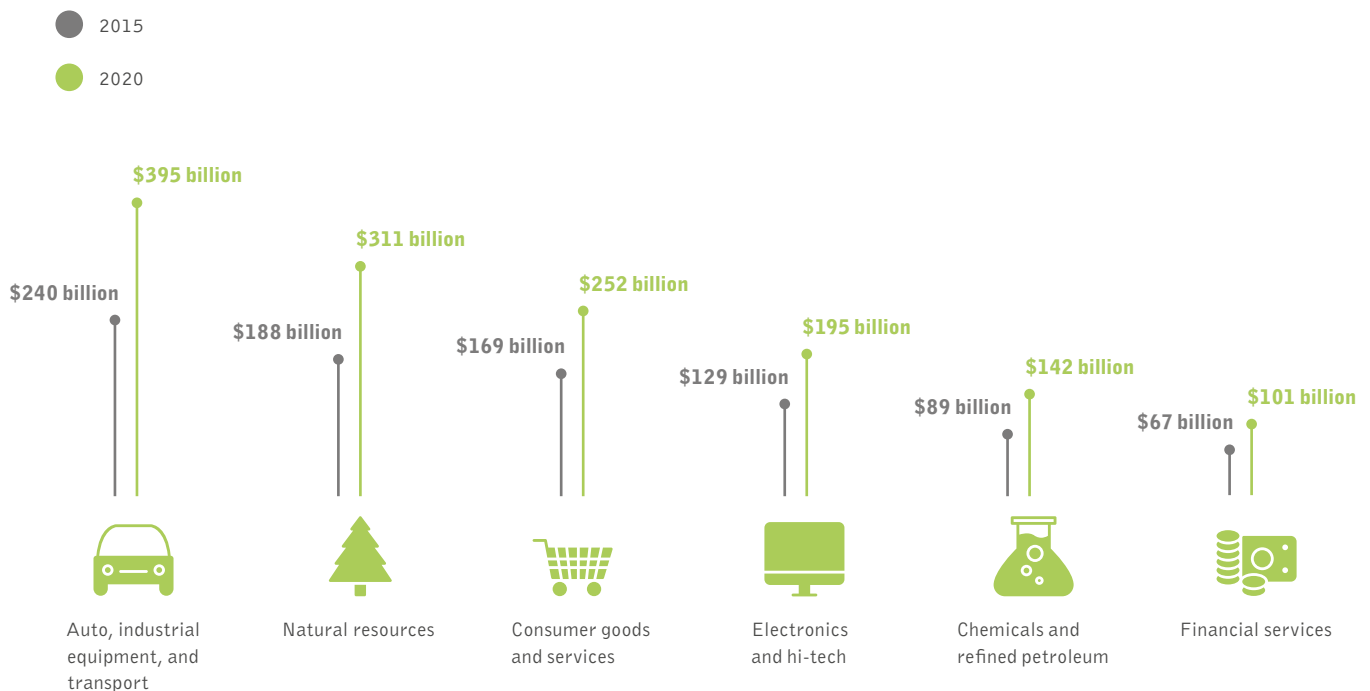
The rapid expansion of China's consumer base has made the country immensely important for a broad spectrum of technology products. Some big corporations such as Amazon, Apple, and Microsoft have chosen to enter the market and have started to gain a footing in China, despite its reputation as one of the world's most restricted internet markets.

Last year, Apple's overall revenue in greater China jumped to \$59 billion. However, like many other international companies, Apple's success in China came at a cost. In order to maintain its business, Apple had to concede to Chinese authorities on issues concerning self-censorship and cooperation in terms of data storage. In 2015, Apple disabled one of its new apps in China to prevent Chinese people from accessing sensitive issues banned by Beijing. Moreover, earlier this year, Apple announced that it will be opening a new data center in mainland China, in cooperation with the state-

CHINA

Digital output: The additional GDP generated as a result of embracing digitalization (\$ billions, 2015 versus 2020)

Source: Accenture Digital China 2020



owned China Telecom company, to comply with a new law requiring data on Chinese citizens to be kept within China. It is not hard to see that the Chinese government remains a decisive factor in Apple's overall business in China.

Other foreign platforms are also actively encouraging self-censorship. In 2015, Line, a Japanese messaging app, employed a keyword filtering system to ensure that politically sensitive issues are not discussed in the Chinese version of its product. Similarly, LinkedIn relies on in-house censors and algorithms to screen out «harmful» content from its Chinese website. These companies must promote self-censorship with their products if they do not want to enrage Beijing and get banned.

Over the years, the control exercised by Chinese leadership over the internet has increased notably. After Xi Jinping became president, he appointed himself the leader of the Central Leading Group for Internet Security and Informatization, so as to better take control of the computer networks – from basic infrastructure to tech companies. Meanwhile, the government has attempted to tighten its grip on internet content. In 2013, a Chinese court announced that the criminal charge of «picking quarrels and provoking trouble» could be extended to

cover online speech. A more recent regulation has formally approved the power of authorities to access citizens' online information, if deemed necessary for legal investigations.

Besides political intervention, large global internet players also have to confront fierce competition from local companies. eBay first entered China in 2002, but it shut down operations in 2006 due to intense competition from Taobao.com. The survival of Amazon in China is in this sense surprising, although it still competes with many Chinese competitors such as Taobao, Tmall, JD, Suning, and other rising companies. Apple faces similar competition. By July 2017, Apple only ranked fifth in China's smartphone market, behind Huawei, Oppo, Vivo, and Xiaomi – the four Chinese smartphone brands that collectively account for almost 70 percent of the domestic market share.¹

Ways of access

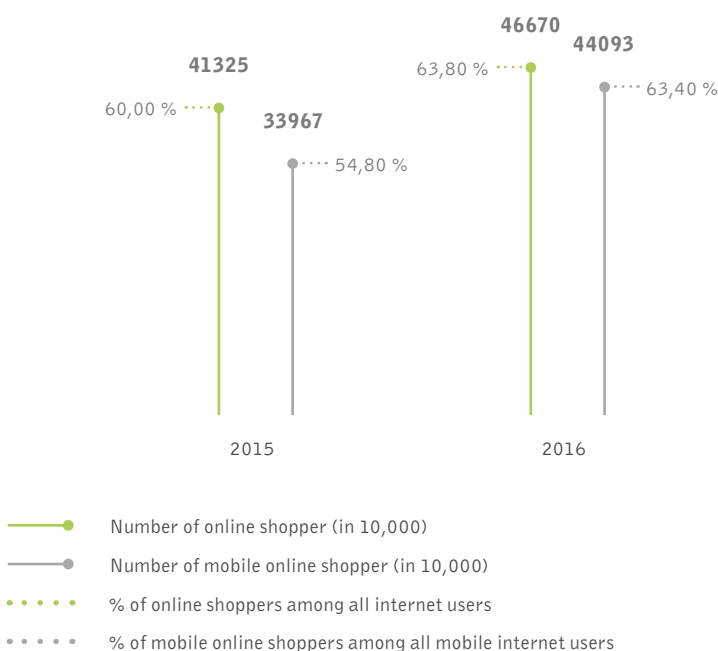
Foreign companies, however, have never ceased exploring potential opportunities in the gargantuan Chinese market, despite the popularity of their replicas and stringent government regulations. In order to gain admission and have a piece of the market, foreign internet companies look for Chinese partners through joint ventures. By finding domestic partners, many international digital platforms have successfully entered and branched out in China. For example, NHN, one of the world's biggest internet content service operators, marched into China by joining hands with Qihoo 360. In 2005, Yahoo! chose to ally with Alibaba and expand its Chinese operations. At the beginning of 2016, Qualcomm also formed a joint venture with Guizhou Huaxintong Semiconductor Technology to invest in chip server technology, a sector that the local government was keen to develop.

Fitting themselves into joint ventures helps these companies become more localized and adaptable. However, this does not eliminate all obstacles. Besides online surveillance, Chinese authorities are also sensitive to issues such as technology transfer, corporate governance, the protection of local brands, as well as information security. The preference is, of course, that foreign tech companies provide China with their core technology and advanced management models.

CHINA

Number and percentage of Chinese online shopper (2015 & 2016)

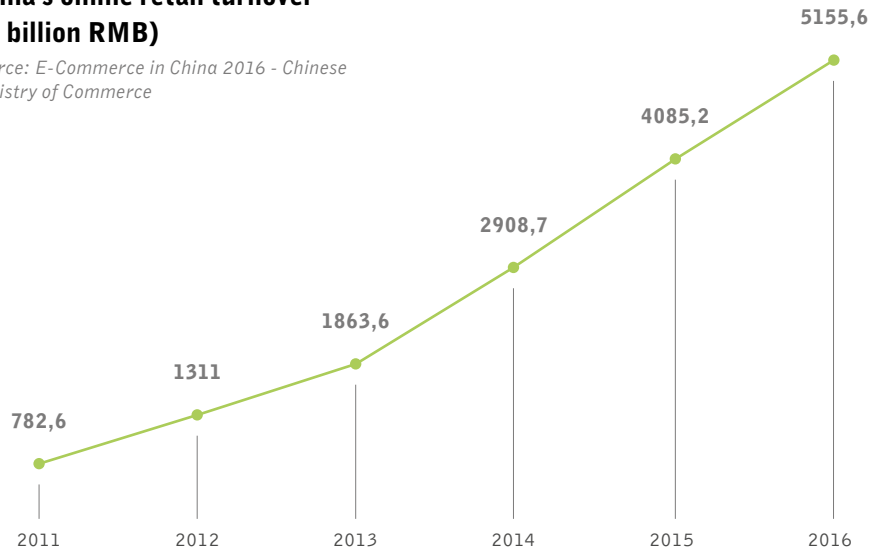
Source: E-Commerce in China 2016 - Chinese Ministry of Commerce



CHINA

**China's online retail turnover
(in billion RMB)**

Source: E-Commerce in China 2016 - Chinese
Ministry of Commerce



In 2015, Microsoft announced its partnership with the China Electronics Technology Group Corporation (CETC), a state-owned company, to «license, deploy, manage and optimize Windows 10 for China's government agencies and certain state-owned enterprises and provide ongoing support and services for these customers.» Microsoft management is happy to rub shoulders with Beijing officials. According to Microsoft Corporate Vice President Yusuf Mehdi, «This venture signals the possibility for new opportunities for Windows 10 in the many government entities in China.» However, just in 2014, Microsoft 8 was banned by the Chinese government due to a concern over information security.

The cooperation between Microsoft and CETC again is indicative of the unpredictable relations between the Beijing central government and foreign internet capital. In order to survive in China, foreign tech companies are learning to remain on good terms with the government.

For social media platforms such as Facebook and Twitter, entering China seems much more difficult. First, if they were to enter China, the massive global scale of these two platforms would necessitate a very complicated censorship system. Compared with WeChat and Sina Weibo, in which Chinese is the main language employed, Facebook offers more than 140 languages, and Twitter is available in 33 languages. Both allow users to make friends, join groups, and create public debates that can reach people all over the world. It is easy to imagine that the Chinese govern-

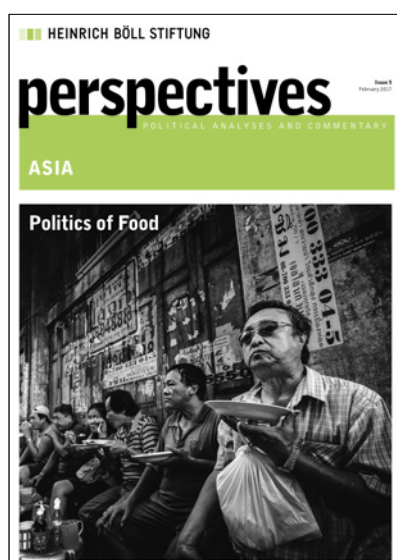
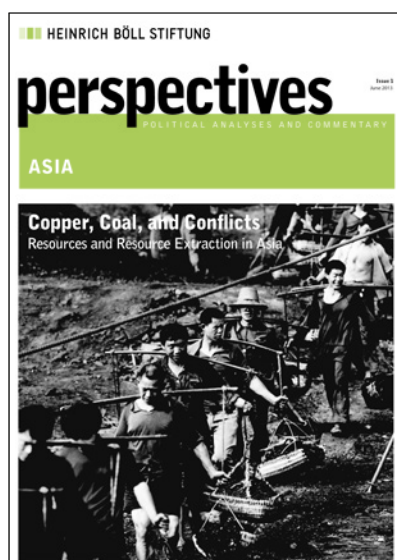
ment would be the last to want to see «Tibet independence» or «Falun Gong crackdown» on these social media platforms in different languages.

Second, launching Facebook or Twitter in China would be nothing short of miracle, not only due to China's draconian internet regulations, but also its even tighter control of internet speech under President Xi. Although Mark Zuckerberg is actively seeking chances to communicate with Beijing, he must also come to terms with the fact that he will need to make concessions in order to operate in China, otherwise Facebook would risk becoming the next Don Quixote, fighting for something unrealistic.

Accessing markets is not just a problem faced by digital platforms such as Facebook and Google, but it is also an imperative issue for Beijing and the Chinese people. As one post in Zhihu (a Chinese Q&A website similar to Quora) says, today's Chinese IT ecology is «not only about how Facebook gets into China, but also how Chinese people cross the Great Wall and reach every corner of the world» – the end of the sentence referring precisely to the first email ever sent from China, in 1987, which read, «Across the Great Wall, we can reach every corner in the world.» ■■■

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¹ <http://www.ibtimes.co.in/huawei-oppo-vivo-xiaomi-rule-chinese-smartphone-market-q2-2017-736010>



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