Digital Rights In Myanmar: The 2017 Landscape, The 2018 View

Vicky Bowman
Director, Myanmar Centre for Responsible Business
Myanmar Digital Rights Forum, 18-19 January 2018
HUMAN RIGHTS IN FOCUS

RIGHT TO FREEDOM OF EXPRESSION
- Freedom of speech
- Harassment and online hate speech

RIGHT TO PRIVACY
- Data privacy and protection
- Cybercrime – hacking, phishing etc
- Lawful interception, surveillance

RIGHT TO INFORMATION
- Access to information and the internet, inclusion
- Intellectual property
What still needs to be done?

- Amend legal and policy framework undermining human rights
- Better ICT/Internet Governance and Policies
- Widen access to internet and ICT - equality
- Improve digital literacy of Myanmar users
- Widen the digital rights community - ‘beyond the geek’
Main Issues in Myanmar

- Criminalization of legitimate expression
- The ‘balancing’ debate - ‘Too much freedom’ – responsible usage


- Defamation charges repeatedly used against reporters, journalists, politicians, social media users etc.


- New Defamation/Invasion of Privacy clause
FREEDOM OF EXPRESSION

2017

- Adoption of Citizens Privacy and Security Law
- Inadequate amendment of 66[d]
  - Debate – but lack of formal consultation, and flawed voting process
- Parliament passed motion on monitoring net usage
- Continued arrests under 66d (108 ++) and pressure on the media

2018

- Criminal defamation advocacy – 66(d), CPSL
- A positive agenda for digital literacy and inclusive social media usage
- Draft Sexual Violence against women law – digital rights provisions?
- Draft Hate Speech law(s)
PRIVACY PROTECTION

Key Issues in Myanmar

• Growth in cybercrime and hacking attacks
• Lack of legal framework for privacy e.g.
  • Lawful surveillance
  • Commoditising user data
• Digital ID and eGovernment
• Capacity weakness
  • Data privacy and security weakness in private sector
  • Lack of user awareness
PRIVACY PROTECTION

2017

- Adoption of Ill-conceived Citizen’s Privacy and Security Law
- Multiple hacks – political, nuisance and criminal

2018

- Establish legal frameworks that meet international standard
- Improve understanding and capacity for and awareness of privacy protection and security
- What’s happening on Digital ID in government (World Bank)?
- CPSL amendment/abolition Advocacy
- Draft Consumer Protection Law
- Regulation of data commoditisation, e-economy start-ups
Key Issues in Myanmar

• 90% penetration, but still inequality: rural, minority language, gender, disability
• Lack of digital literacy education
• Failure by government to use potential of ICT to promote better governance and access to information
ACCESS TO ICT

2017

• Improvement of geographical penetration - Increased mobile penetration (90%) but inequality women/men, rural/urban
• Development of E-economy
• New laws – e.g. Investment Law/Rules requiring government publication of data on investment proposals; environmental impact assessments

2018

• Promoting equality of access: remote, women, disability, minority languages
• Digital literacy
• Universal Service Strategy and Fund consultation
  Deadline: 12th February, 2018
• Draft Access to Information Law; draft Consumer Protection Law
Thank you!

သင်ကြားတော်တော်များ ကျင်းပပါတယ်။

www.mcrb.org.mm
myanmar.responsible.business