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# JOINT SOLIDARITY STATEMENT

## DEFENDING DIGITAL FREEDOM: ASEAN COALITION CONFRONTS **LAOS'** SOCIAL MEDIA CLAMPDOWN





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### Defending Digital Freedom: ASEAN Coalition Confronts Laos' Social Media Clampdown

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We, Manushya Foundation, ALTSEAN-Burma, Cambodian Center for Human Rights, ELSAM, Foundation for Media Alternatives, Free Expression Myanmar, ILGA Asia, SAFEnet, The 88 Project, and Women's Peace Network, as the [ASEAN Regional Coalition to #StopDigitalDictatorship](#),<sup>[1]</sup> stands in solidarity with Lao people whose right to information is, once again, being deprived by censorship. In early August 2023, the Lao government through the Ministry of Technology and Communications revealed its [intention to regulate](#) social media usage both within and outside the country. An official from the Ministry of Defense and Security of the Lao People's Democratic Republic (PDR) also indicated that individuals within the country using social media to share false news, distort information, or criticize the government could face consequences. Initially, so-called "education" would be enforced for the first offense, while repeat offenses would result in stricter actions, including legal punishment and prosecution.<sup>[2]</sup>

This measure aims to maintain societal order and address the issue of foreign media outlets that disrupt the harmony, portray misrepresentation, or criticize the actions of Lao authorities. The government elaborated that while it intended to exercise control over the content circulated on domestic social media platforms, the primary challenge lies in effectively managing the content originating from accounts or individuals located outside of the country, propagating 'fake news' about the Lao government. The stakes are high. Not only is the government determined to censor social media content inside Laos, but it also aims to expand its reach outside the country's borders, claiming without any legal evidence, that some overseas social media accounts are spreading "fake news" about the Lao government.

This decision is not surprising. Reporters Without Borders released a report that puts Laos at the 160<sup>th</sup> spot out of 180 countries on the World Press Freedom index.<sup>[3]</sup> This ranking points to a distressing state of affairs: the Lao government exerts complete control over the media by misusing its authority to manipulate and stifle public opinion. This abuse of power represents a grave violation of Lao citizens' rights and freedoms. Because of the overwhelming grasp, social media is key for the Lao people to have access to information.



**In the throes of an oppressively restricted civic environment, Lao activists turn to the amplifying power of social media platforms to speak up and denounce the regime.** The lack of rule of law and transparency in the socioeconomic-development process has caught the attention of local human rights defenders. They're becoming more vocal in expressing their concerns about the government's role in the high inflation rate and China's excessive control over investments. Therefore, an open digital space is essential for the free flow of information and ideas as it is the heart of effective, accountable, and inclusive institutions.[4]

**The recent actions taken by the Lao government undermine these principles and have serious implications for the state of human rights and democratic values in the country.** It's vital to emphasize the numerous instances where the Lao government misuses its authority to control the media and suppress public opinion.

**In September 2019, Houayheuung Xayabouly, also known as ‘Muay,’ was sentenced to five years in prison for criticizing the government on social media regarding the heavy floods in Southern Laos, drawing attention to the Lao authorities’ negligence.**[5] She's currently imprisoned for 5 years, fined 20 million LAK, following an unfair pre-trial detention and trial lacking due process. [In May 2021](#), the UN Working Group on Arbitrary Detention [ruled](#) that Muay was arbitrarily detained and called for her immediate release.[6]

**On April 29, 2023, prominent Lao activist Anousa Luangsuphom, also known as ‘Jack’, was the victim of an attempted murder by gunshot.**[7] Jack is one of the administrators of the Facebook page “Power by the Keyboard”. [8] He uses this online platform to advocate for the Lao youth by providing witty and scathing critiques of the Lao one-state party, and denounces the growing Chinese influence over Laos. This brutal attempted murder is another example of the Lao government's will to reinforce a cycle of political violence and suppression of dissenting voices in the country.

These tragic stories illustrate the string of similar attacks in recent years targeting Lao human rights activists who speak out against the authoritarian government on social media. Beyond silencing dissent, the Lao government is also involved in **transnational repression**.

**On 28 July 2023, Lao authorities arrested and detained well-known Chinese human rights lawyer Lu Siwei.**[9] He is currently held incommunicado, and his whereabouts remain unknown. On August 11 2023, [UN experts called](#) on the Lao government to immediately release Lu Siwei to prevent his deportation back to China [10], where he will be subject to imprisonment, and grave risks of torture and inhuman treatment as the Chinese government frequently subjects rights defenders to such rights violations.[11]

**In a more recent incident, Qiao Xinxin, a notable Chinese advocate for free speech, found himself ensnared in the web of transnational repression orchestrated by China on Lao soil.** Arrested by Lao police, cooperating with Chinese security forces, and subsequently reported



missing in Vientiane in June 2023, Qiao's fate has now been revealed. He has been forcibly deported to China, as confirmed by activists abroad. Sources revealed that he is currently being held within a detention facility situated in the central Chinese province of Hunan.[12] Qiao, originally known as Yang Zewei, vanished in Vientiane while spearheading an online campaign aimed at dismantling internet censorship in China. This campaign, known as the [BanGFW Movement](#), serves as a daring challenge to the Great Firewall.[13]

The Lao government's latest move to control social media content not only infringes upon the rights of individuals to express themselves but also stifles important discussions on social justice, democracy, and the rule of law across the border and within the region. The alarming rising digital dictatorship, coupled with the resultant severe human rights violations, demands our collective attention and immediate action.

**We strongly call upon the Lao government to uphold international human rights standards, ensuring the fundamental rights of the Lao people to freedom of expression and access to information**, as enshrined in Article 19 of the [International Covenant on Civil and Political Rights](#) (ICCPR) and in Article 19 of the [Universal Declaration of Human Rights](#) (UDHR) which states that the fundamental right of freedom of expression encompasses the freedom to “to seek, receive and impart information and ideas through any media and regardless of frontiers”.[14] The control over social media usage is also a direct violation of Laos' own 2015 Constitution, under its [Article 44](#), stipulating that “Lao citizens have the right and freedom of speech, press and assembly; and have the right to set up associations and to stage demonstrations which are not contrary to the laws”.[15] Restrictions on free speech also contravene Sustainable Development Goal 16.10, which aims to “ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements”.[16]

In light of these concerns, the [ASEAN Regional Coalition to #StopDigitalDictatorship](#) calls on the Lao government to:

- Strengthen protection of independent investigative journalists or media professionals who expose rights violations;
- Repeal the above-mentioned orders and refrain from forcing online media outlets to register with the authorities;
- Guarantee transparency and access for all persons in Lao PDR to information, particularly where such information relates to the public interest and impacts upon the individual's rights to expression, information and public participation, by adopting a law to enable the provision of such access;
- Repeal or amend laws and regulations that restrict freedom of expression, independent media, and access to information, including but not limited to the Law on Prevention and



Combating Cyber Crime and the Media Law, to bring them in line with Article 19 of UDHR and of the ICCPR;

- Refrain from using the allegations of "fake news" as a justification for limiting online information and suppressing free media;
- End the weaponization of constitutional provisions such as Article 23 of the Constitution, to limit media activities contrary to vague and overbroad provisions of “national interests”.

For more information about joining our regional campaign to #StopDigitalDictatorship in Southeast Asia, and to support our work to restore digital democracy in the region, access our online campaign at: <https://www.manushyafoundation.org/stop-digital-dictatorship-campaign>

For media enquiries, please contact:

- Jean Dinco, Independent Researcher on Cybersecurity and Data Governance: [jeandinco@proton.me](mailto:jeandinco@proton.me)
- Emilie Pradichit, Founder and Executive Director, Manushya Foundation: [emilie@manushyafoundation.org](mailto:emilie@manushyafoundation.org)
- Ni Putu Candra Dewi, Advocacy and Campaign Associate on Democracy and Digital Rights, Manushya Foundation: [candra@manushyafoundation.org](mailto:candra@manushyafoundation.org)

## Endnotes

[1] Manushya Foundation, #StopDigitalDictatorship in Southeast Asia, (accessed 18 August 2023), available at:

<https://www.manushyafoundation.org/stop-digital-dictatorship-campaign>

[2] Timeline,ทางการลาวเคลื่อนไหว เตรียมจัดการข้อร้องเรียนออนไลน์, (5 August 2023) available at:

<https://www.youtube.com/watch?v=OPRLYFVCrQ&t=69s>; Facebook post from “Pasaxon”, ပဒေသာချို, (2 August 2023), available at:

<https://www.facebook.com/photo.php?fbid=807229911090467&set=pb.100054103977098.-2207520000.&type=3>; RFA, *ທາງການລາວ ສືບຕໍ່ປາບປາມ ຜູ້ໃຊ້ສື່ສັງຄົມອອນລາຍນ໌ ດຳນິຣົງບານ*, *The Lao government continues to crack down on online social media users, blaming the government*, (9 August 2023), available at: <https://www.rfa.org/lao/daily/politics/lao-authority-to-continue-crackdown-on-people-using-social-media-criticized-govt-08102023093343.html>; Manushya Foundation, Facebook post, (11 August 2023), available at:

<https://www.facebook.com/photo/?fbid=621783063377634&set=a.578684191020855>

[3] Reporter Without Border, Asia Pacific - Laos, (accessed on 16 August 2023), available at:

<https://rsf.org/en/country/laos>

[4] UNESCO, *To recovery and beyond: 2021 UNESCO report on public access to information (SDG 16.10.2)*, (2022), available at:

<https://unesdoc.unesco.org/ark:/48223/pf0000380520>

[5] Bangkok Post, “In Laos, price of free speech a heavy one” (20 February 2020), available at:

<https://www.bangkokpost.com/opinion/opinion/1861639/in-laos-price-of-free-speech-a-heavy-one>



- [6] OHCHR, *Opinions Adopted by the Working Group on Arbitrary Detention at its 90th Session*, (accessed on 18 August 2023), available at: <https://www.ohchr.org/en/opinions-adopted-working-group-arbitrary-detention-its-90th-session>; OHCHR, *Opinion No. 6/2021 concerning Houayheuang Xayabouly (Lao People's Democratic Republic)*, (accessed on 18 August 2023), available at: [https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session90/A\\_HRC\\_WGAD\\_2021\\_6.docx](https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session90/A_HRC_WGAD_2021_6.docx)
- [7] Manushya Foundation, *News Release: #JusticeForJack: Shot, but Not Silenced*, (1 June 2023), available at: <https://www.manushyafoundation.org/post/justiceforjack-shot-but-not-silenced>; Manushya Foundation, *News Release: #JusticeForJack! Attempted Murder of Lao Youth Democracy Activist Demands Independent Investigation*, (2 May 2023), available at: <https://www.manushyafoundation.org/post/news-release-justiceforjack>; Southeast Asia Globe, *"Don't criticize the government unless you want to disappear" Lao activist survives shooting in cold-blood*, (4 May 2023), available at: <https://southeastasiaglobe.com/lao-activist-survives-shooting/>
- [8] Facebook, Power of the Keyboard Facebook Page (ຂັບເຄືອນດ້ວຍຄືບອັດ), <https://www.facebook.com/powerbykeyboard>
- [9] Manushya Foundation, *Call on Governments & Lao Authorities to Ensure the Immediate Release of Chinese Human Rights Lawyer*, (1 August 2023), available at: <https://www.manushyafoundation.org/post/call-on-governments-lao-authorities-to-ensure-the-immediate-release-of-chinese-human-rights-lawyer>; Safeguard Defenders, *Chinese lawyer detained in Laos now in a state of Enforced Disappearance*, (28 July 2023), available at: <https://safeguarddefenders.com/en/blog/chinese-lawyer-detained-laos-now-state-enforced-disappearance>
- [10] OHCHR, *Lao Must Immediately Release Chinese Lawyer Lu Siwei and Prevent his Imminent Deportation: UN Experts*, (11 August 2023), available at: <https://www.ohchr.org/en/press-releases/2023/08/lao-must-immediately-release-chinese-lawyer-lu-siwei-and-prevent-his>
- [11] E/C.12/CHN/CO/3, CESCR Concluding observations on the third periodic report of China, including Hong Kong, China, and Macao, China, 2 March 2023; and CAT/C/CHN/CO/5, CAT Concluding observations on the fifth periodic report of China, 3 February 2016.
- [12] Manushya Foundation, *#JusticeForQiao: Chinese Digital Rights Activist Qiao Xinxin Abducted by Chinese Police in Laos*, (4 July 2023), available at: <https://www.manushyafoundation.org/post/justiceforqiao-chinese-digital-rights-activist-qiao-xinxin-abducted-by-chinese-police-in-laos>; Reporters Without Border, *China: RSF calls for release of journalist kidnapped in Laos and charged with "subversion of state power"*, (accessed on 18 August 2023), available at: <https://rsf.org/en/china-rsf-calls-release-journalist-kidnapped-laos-and-charged-subversion-state-power>; Radio Free Asia, *Activist Qiao Xinxin arrested for subversion in China after Laos 'disappearance'*, (14 August 2023), available at: <https://www.rfa.org/english/news/china/china-subversion-08142023125713.html>; Radio Free Asia, *Missing Laos-based activist Qiao Xinxin resurfaces in a Chinese detention center*, (9 August 2023), available at: <https://www.rfa.org/english/news/china/laos-activist-detention-08092023100051.html>
- [13] Ban Great Fire Wall Movement, (accessed 18 August 2023), available at: [https://twitter.com/Ban\\_GFW](https://twitter.com/Ban_GFW)
- [14] UNESCO, *The Right to Access to Information*, (accessed 17 August 2023), available at: <https://www.unesco.org/en/right-access-information>
- [15] Constitute Project, *Lao People's Democratic Republic 1991 Constitution (rev. 2015)*, (accessed 18 August 2023), available at: [https://www.constituteproject.org/constitution/Laos\\_2015](https://www.constituteproject.org/constitution/Laos_2015)
- [16] Sustainable Development Goals, *SDG 16*, (accessed 17 August 2023), available at: <https://sdgs.un.org/goals/goal16>