RESILIENCE IN SOUTHEAST ASIA:

CIVIL SOCIETY'S RESPONSE TO GOVERNMENT PANDEMIC OVERREACH

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I.   Introduction

In Southeast Asia, the COVID-19 pandemic has presented significant challenges to civil society, with most states passing emergency measures that severely curtailed civic space. The COVID-19 pandemic adversely impacted nearly all aspects of civic space, from fundamental freedoms to the funding, operations, and program implementation of civil society organizations (CSOs).[1]

Drawing on ICNL's COVID-19 Freedom Tracker,[2] this briefer examines Southeast Asia's complex and diverse landscape and summarizes trends in the experiences of different civil society actors. It examines the shared challenges civil society actors have faced and how, despite the pandemic and democratic setbacks, they seized opportunities and developed new ways to defend fundamental freedoms while contributing to COVID-19 response efforts.

II.   Civil Society Attacked on All Fronts

ICNL's tracking suggests that the COVID-19 pandemic exacerbated constraints in the operating environment for nearly all civil society actors, who have been attacked from every front, jeopardizing COVID-19 response efforts.

RAMPANT DIGITAL SURVEILLANCE BY STATES

As pandemic life moved online, more people relied on the internet to access information and turned to social media as their channel of expression. The spike in online activities, in turn, prompted States to become more vigilant in monitoring their citizens' activities online. The Indo-Pacific region steadily fell under surveillance justified as part of the COVID-19 response in order to maintain the government's legitimacy.

In Indonesia, for instance, the National Police Chief created a cyber patrol unit in March 2021 when the Government came under fire for its perceived poor handling of the outbreak throughout 2020. The unit claimed to ensure the safety of citizens online from the spread of hoax, slander, and hate speech. In 'patrolling' online speech, this

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1 For more information see Government Responses to COVID-19 in Asia and the Pacific, https://www.icnl.org/post/analysis/government-responses-to-covid-19-in-asia-and-the-pacific.

2 For more information see COVID-19 Civic Freedom Tracker, https://www.icnl.org/covid19tracker/.

unit observed, monitored, predicted, and reprimanded citizens' social media content for potential violations of the Electronic Information and Transactions Law.[3] The following month, a leaked classified message from the Telegram messenger application revealed that police had ordered the arrest of persons who insulted the President and other top officials and spread false information concerning the government's COVID-19 policies.[4] Reports showed that censored posts were mainly related to criticism against public officials.[5]

Similarly, Thailand and Cambodia strengthened and expanded online surveillance during the pandemic. Thailand established an Anti-Fake News Center under the Department of Special Investigation (DSI) to probe 'fake news' that could hamper the government's efforts in containing the spread of the virus.[6] Some observers, including the opposition Move Forward Party, noted that the Center had instead targeted and labelled as 'fake' user content critical of those in power.[7] In another case, the Center labeled Khaosod news agency's reporting on the government's COVID-19 quarantine policy – which simply repeated information taken from a Facebook page run by the Thai Embassy in London – as fake. The Center later said the labeling was a procedural mishap.[8]

In Cambodia, the government expanded its surveillance to various social media and messenger applications, including TikTok, WhatsApp, Telegram, and Messenger. This measure came after heightened concerns about COVID-19 vaccine-related false news.[9] Shortly after, citizens were reportedly arrested and charged with spreading 'fake news' on vaccines through TikTok and other social media platforms. The government spokesperson unit then demanded citizens stop uploading social media posts that 'provoke and create chaos' and referred to such posts as 'acts of attack' that must be punished.[10]

3 Tri Indah Oktavianti, Budi Sutrisno, "New 'virtual police' adds to fears over loss of online civic space, civil freedoms", The Jakarta Post, March 19, 2021, https://www.thejakartapost.com/news/2021/03/19/new-virtual-police-adds-to-fears-over-loss-of-online-civic-space-civil-freedoms.html.

4 Tri Indah Oktavianti, "National Police detail tightened measures to combat COVID-19, support government policy", The Jakarta Post, April 8, 2020, https://www.thejakartapost.com/news/2020/04/08/national-police-detail-tightened-measures-to-combat-covid-19-support-government-policy.html.

5 Dewi Nurita, "Virtual Police Summon Man Over Comment Quipping Jokowi's Son", Tempo.Co, March 16, 2021, https://en.tempo.co/read/1442660/virtual-police-summon-man-over-comment-quipping-jokowis-son;

6 Post Reporters, "DSI to probe 'fake news'", Bangkok Post, May 3, 2021, https://www.bangkokpost.com/thailand/general/2109311/dsi-to-probe-fake-news

7 "Freedom on The Net 2021: Thailand", Freedom House, https://freedomhouse.org/country/thailand/freedom-net/2021.

8 Teeranai Charuvastra, "'Anti-Fake News Center' responds after rating Khaosod story as hoax", Khaosod English, February 25, 2021, https://www.khaosodenglish.com/news/crimecourtscalamity/2020/02/25/govt-anti-fake-news-center-caught-spreading-fake-news/.

9 UCA News reporter, Phnom Penh, "Cambodia expands monitoring of 'fake news'", UCA News, January 28, 2021, https://www.ucanews.com/news/cambodia-expands-monitoring-of-fake-news/91186#.

10 "Cambodia: Stop silencing critical commentary on COVID-19", Article 19, May 25, 2021, https://www.article19.org/resources/cambodia-silencing-critical-commentary-covid-19/.

COVERUP OF 'SENSITIVE' COVID-19 INFORMATION

The COVID-19 outbreak exposed the importance of the free flow of information. Many Southeast Asian leaders downplayed or concealed pandemic-related information when the virus finally hit the region.[11] As the situation developed, some political leaders trampled on the freedom to access information by censoring and limiting citizens' options to obtain reliable information pertinent to combatting the pandemic. In several cases, government actions limited media coverage and reports about vulnerable groups during the pandemic, such as migrant and ethnic minorities, who became even more vulnerable and subject to discriminatory treatment stemming from COVID-19 response measures.

Myanmar, for example, arbitrarily blocked mobile phone access to hundreds of news websites on the pretext of combatting disinformation during the COVID-19 crisis in mid-2020. Without prior public announcement, the Transport and Communication Ministry ordered Myanmar's four mobile phone operators to block access to a total of 221 sites, including leading media outlets and ethnic news sites, on the grounds that they were spreading 'fake news.'[12] After the coup in 2021, the Myanmar military subsequently blocked journalists from covering the vaccine rollout among Rohingya in internally displaced persons (IDPs) camps in Rakhine State (Rohingyas had previously been excluded from the vaccination program).[13]

In Malaysia, police questioned the editor-in-chief of CodeBlue, a Malaysian health news platform, under the Penal Code and Communications and Multimedia Act, over a story on alleged underreporting of COVID-19 cases. The July 2021 story, 'Volunteers Claim Selangor PPV Hid Covid-19 cases, No Mass Testing or SOP,' detailed workplace safety concerns at a local mass vaccination site.[14] Even more drastic measures were taken against Al-Jazeera journalists over a documentary on the treatment of migrants during Malaysia's first lockdown. The documentary, 'Locked Up in Malaysia's Lockdown,' investigated the plight of undocumented workers arrested during raids in areas under tight lockdown. The government claimed the documentary was 'inaccurate, misleading, and unfair,'[15] and summoned and questioned several of the journalists on potential charges of sedition, defamation, and violation of the country's Communications and Multimedia Act.

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11 For example see Sana Jeffrey, "Coronavirus Blunders in Indonesia Turn Crisis Into Catastrophe", Carnegie Endowment, April 29, 2020, https://carnegieendowment.org/2020/04/29/coronavirus-blunders-in-indonesia-turn-crisis-into-catastrophe-pub-81684; Richard Heydarian, "Why Duterte must own up to the Philippines' COVID-19 disaster", Asia Nikkei, August 14, 2020, https://asia.nikkei.com/Opinion/Why-Duterte-must-own-up-to-the-Philippines-COVID-19-disaster;

12 RSF, " In mid-coronavirus crisis, Myanmar blocks 221 sites for 'fake news,'" April 3, 2020, https://rsf.org/en/news/mid-coronavirus-crisis-myanmar-blocks-221-sites-fake-news; see also https://cpj.org/2020/04/myanmar-orders-67-news-websites-blocked-in-crackdo/ and https://www.article19.org/resources/myanmar-immediately-lift-ban-on-ethnic-news-websites/.

13 "Myanmar: Reporters barred from covering refugee vaccine rollout in Rakhine State", International Federation of Journalists, September 10, 2021, https://www.ifj.org/media-centre/news/detail/category/press-freedom/article/myanmar-reporters-barred-from-covering-refugee-vaccine-rollout-in-rakhine-state.html.

14 CodeBlue, "Khairy: Drop Police Probe Against CodeBlue Chief Editor", CodeBlue, July 28, 2021, https://codeblue.galencentre.org/2021/07/28/khairy-drop-police-probe-against-codeblue-chief-editor/.

15 "Al Jazeera Journalists questioned over Malaysia documentary", Al Jazeera, July 10, 2020, https://www.aljazeera.com/news/2020/7/10/al-jazeera-journalists-questioned-over-malaysia-documentary.

During its peak COVID-19 wave, Cambodia banned media outlets from reporting from the red lockdown zone that experienced shortages of food and vaccines. The Cambodia Information Ministry only allowed reporters working for state media or under the Information Ministry to enter such zones. Other media outlets could only join upon invitation by a government committee to accompany officials providing food aid or vaccines to the citizens of such zones.[16] The Ministry also warned journalists not to report information that could "provoke turmoil in society" and threatened journalists with legal action.[17] In Kandal Region, the Government 'warned' farmers not to upload 'negative pictures' related to food shortages and starvation concerns in the red zone areas.[18]

COMMUNITY INITIATIVES UNDER ATTACK

While struggling to defend themselves against democratic backsliding, many civil society groups have attempted to mobilize their networks and resources to help citizens most impacted by the lockdown. This was mainly done to fill a gap left by governments, and compensate for unreliable and slow aid. These efforts, too, were subject to threats and attacks, as experienced by grassroots networks in the Philippines, Indonesia, and Thailand.

Community kitchens and food banks in the Philippines and Indonesia were surveilled and harassed by police or military officials. Ana Patricia Non, initiator of Philippines' makeshift food donation stalls, was forced to cease operations of the community pantry after local police shared a Facebook post linking the pantries to communist recruitment efforts and visited Non's pantry, asking for her personal information. The National Task Force also shared the post with End Local Armed Conflict, the government's anti-insurgency unit.[19]

Likewise, at the onset of Indonesia's first lockdown, the work of Solidaritas Pangan Jogja (Jogja's Food Solidarity, JFS) was hampered by the police intelligence unit. Jogja's Food Solidarity meeting in April was abruptly disbanded by regional military officers

16 Mech Dara, "Red-Zone News Reporting Is Invite-Only: Information Ministry", VOD, May 3, 2021, https://vodenglish.news/red-zone-news-reporting-is-invite-only-information-ministry/.

17 RFA's Khmer, Vietnamese and Lao Services, "Cambodia Threatens Journalists Over Pandemic Lockdown Coverage as Cases Surge", RFA, May 4, 2021, https://www.rfa.org/english/news/cambodia/lockdown-coverage-05042021195704.html.

18 Khan Leakhena, "Kandal Authorities Warn Farmers to Not Upload Negative Pictures", VOD, May 4, 2021, https://vodenglish.news/kandal-authorities-warn-farmers-to-not-upload-negative-pictures/.

19 Ana P. Santors, "COVID: Police harassment threatens grassroots community pantries in the Philippines", DW, April 27, 2021, https://www.dw.com/en/covid-police-harassment-threatens-grassroots-community-pantries-in-the-philippines/a-57350186.

and local district police claiming that the meeting violated the Yogyakarta City Mayor Circular Letter on the "Prevention of Corona Virus Disease 2020."[20] JFS's shared kitchen was visited by the police intelligence unit, who interrogated the members regarding the initiator, source of donations, and the distribution of food. The police also took pictures and documentation of the activities in the kitchen. JFS members stated that the police did not bring a letter of assignment to conduct such surveillance.[21]

In Thailand, the authorities blocked public attempts to give food away, with some humanitarians even facing criminal charges for 'inciting crowds to gather.' In Bangkok, a woman was fined for breaching social distancing orders when handing out food near the Bangkok Railway station. In Nakhon Pathom, police seized 250 bags of rice porridge and 50 lunchboxes from another woman intending to distribute the donations to people in need. Although the food was purportedly seized to prevent 'crowd gathering,' the police later posted photos of themselves giving out the woman's rice porridge.[22]

ATTACKS ON MEDICAL FRONTLINERS

Since the pandemic began, healthcare workers have suffered under collapsing public health systems that could not sustain the scale of the humanitarian disaster that the pandemic wrought. Rather than assist them, several countries in the region further violated medical workers' rights at work and as members of civil society.

In Indonesia, health workers in the COVID Emergency Hospital (RSDC) Wisma Atlet Jakarta did not receive their promised incentive payments from November 2020 to April 2021. Those vocal about their rights were then intimidated and dismissed from work for no apparent reason. Nelson Simamora, a public defender lawyer of Jakarta Legal Aid, stated that an officer questioned a health worker for alleged ethical violations for voicing her rights, while others were asked by army officers to fill out a statement paper for similar reasons.[23]

In Malaysia, government contract doctors at around 15-20 hospitals carried out mass walkouts in a nationwide strike to demand job security. The authorities reportedly intimidated health workers on-site by shouting at and forcing them to cancel the protest. The Dang Wangi district police deemed that the health workers violated Rule 10 of the Prevention and Control of Infectious Diseases Regulations 2021. Some doctors were reportedly summoned and questioned by the police without legal assistance.[24]

20 https://www.icnl.org/wp-content/uploads/Lokataru-Foundation-SCS-and-COVID19-Pandemic-Indonesia.pdf

21 kumparanNEWS, "Solidaritas Pangan Jogja Surati Jokowi karena Dapur Darurat Didatangi Polisi", Kumparan News, April 21, 2020, https://kumparan.com/kumparannews/solidaritas-pangan-jogja-surati-jokowi-karena-dapur-darurat-didatangi-polisi-1tGgFXGRG9R.

22 Coconuts Bangkok, "Woman Breaks Down After Officers Seize Her Rice Porridge Donations", Coconuts Bangkok, April 21, 2020, https://coconuts.co/bangkok/news/bangkok-woman-breaks-down-after-officers-seize-her-rice-porridge-donations/.

23 Andrian Pratama Taher, "Nakes Wisma Atlet: Diintimidasi TNI-Polri & Insentif Telat Dibayar", Tirto.id, May 11, 2021, https://tirto.id/nakes-wisma-atlet-diintimidasi-tni-polri-insentif-telat-dibayar-gfSV.

24 "Malaysia: Protesters and government critics face new wave of harassment by authorities", Article19, July 29, 2021, https://www.article19.org/resources/malaysia-protesters-government-critics-face-new-wave-harassment/.

In Myanmar, medical workers who participated in civil disobedience against the junta government were attacked and arrested. United Nations data reveal that at least 139 doctors believed to have been participating in the civil disobedience movement were reportedly charged under Section 505 (a) of the Myanmar Penal Code. These included health personnel whose expertise could not easily be replaced.[25] A doctor who wished to remain anonymous told CBC that medical workers began marching daily almost immediately after the coup, and had resorted to treating people underground, including those injured in protests, many having suffered gunshot wounds.[26]

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III. Emerging Hopes and Opportunities

Despite the worsening constraints, many civil society groups and volunteers found ways to defend fundamental freedoms and help groups most impacted by the COVID-19 pandemic. Civil society's persistence and devotion to helping those in need remain a source of inspiration, and a testament to efforts to fight back against authoritarian repression of civil society.

PROTECTING PROTEST AT ALL COSTS

As many online critics were censored, street artists and others turned to public spaces to voice their frustration. A graffiti work depicting President Joko "Jokowi" Widodo with his eyes covered and captioned "404: not found" in Batuceper, Tangerang, Banten, became a symbol of political resistance, despite being removed by authorities after making the rounds on social media. Over the following months, murals highlighting the government's failure to provide basic needs during the prolonged public activity restrictions appeared sporadically in different regions such as Yogyakarta, Pasuruan, and other cities. The authorities then began a spree of mural erasing and hunting artists through social media targeting, street surveillance, and raids, but this too did not deter the groups. Despite threats, Aliansi Rakyat Bergerak (People's Movement Alliance), a Yogyakarta-based political civil society group, held a nationwide mural competition where the rule was

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25 David Swanson, "UN Reiterates Call for Health Workers and Facilities to be Protected", United Nations Myanmar, May 05, 2021, https://myanmar.un.org/en/126289-un-reiterates-call-health-workers-and-facilities-be-protected.

26 CBC Radio, "Doctor in Myanmar says he and his colleagues are being targeted for arrest", CBC, April 12, 2021, https://www.cbc.ca/radio/asithappens/as-it-happens-monday-edition-1.5984047/doctor-in-myanmar-says-he-and-his-colleagues-are-being-targeted-for-arrest-1.5984287.

simple: the most controversial mural removed the fastest by authorities would win the competition.[27]

Civil society also developed tools to assist protesters and keep activists safe. In resuming protests on the streets safely, for instance, civil society in Myanmar initiated a live map for protesters to be aware of police movements, medical coverage, and roadblocks.[28] Malaysian civil society initiated a peaceful vehicle convoy to attract public attention where they hung black flags outside of their vehicles and drove through several cities in Malaysia to protest the government's handling of the pandemic.[29] During the wave of Omnibus Law protests, Indonesian protesters also developed a safety protocol for socially-distanced rallies whereby students drew circles on the street for participants to sit or stand during the rally to ensure social distancing.[30]

SAFEGUARDING DIGITAL CIVIC SPACE

Run by civil society, the Philippines' fact-checking Facebook community has been actively and vigorously combatting disinformation and false government narratives to legitimize the government's handling of the health crisis. For example, President Duterte claimed that he had initially warned citizens about the dangerous virus. The community countered this narrative, finding that such an alert did not exist; instead, the president had said that the Philippines had a low number of COVID-19 infections. The fact-checking community also combatted false quotes by public personalities praising Duterte for COVID-19 responses.[31]

In Thailand, civil society worked to mobilize online when faced with restrictions on in-person assembly. The Student Union of Thailand launched an online campaign to 'protest from home' by sharing photos or placards criticizing the government's administration

> The Student Union of Thailand launched an online campaign to 'protest from home' by sharing photos or placards criticizing the government's administration with the trending hashtag #MobFromHome.

27 Dio Suhenda, Ary Hermawan, "Pandemic street art becomes latest victim of Indonesia's illiberal turn", Jakarta Post, August 20, 2021, https://www.thejakartapost.com/news/2021/08/20/pandemic-street-art-becomes-latest-victim-of-indonesias-illiberal-turn.html; "Yogyakarta mural artists undeterred by critical murals cover-up", The Finery Report, August 26, 2021, thefineryreport.com/news/2021/8/25/yogyakarta-mural-artists-undeterred-by-critical-murals-erasure.

28 Bibbi Abruzzini, Jyotsna M. Singh, "Offline and Online, Protests Are Sweeping Across Asia", The Diplomat, March 01, 2021, https://thediplomat.com/2021/03/offline-and-online-protests-are-sweeping-across-asia/.

29 "Malaysia: Government must stop harassment and intimidation of peaceful protesters", Article 19, July 31, 2021, https://www.article19.org/resources/malaysia-government-must-stop-harassment-intimidation-peaceful-protesters/.

30 kumparanNEWS, "Massa Aksi Gejayan Memanggil Bergeser ke Pertigaan Jalan Laksda Adisucipto Yogya", Kumparan NEWS, July 16, 2020, Masa Aksi Gejayan Memanggil Bergeser ke Pertigaan Jalan Laksda Adisucipto Yogya | kumparan.com.

31 "Stronger alliance of civil society and media in Asia called to fight infodemic", Friederich Naumann Foundation For Freedom, April 16, 2020, https://www.freiheit.org/southeast-and-east-asia/stronger-alliance-civil-society-and-media-asia-called-fight-infodemic.

with the trending hashtag #MobFromHome. Additionally, pro-democracy activists developed a strategy called 'bombardment,' or online public mobilization, wherein citizens collectively and massively criticize a problematic post. This method has been widely used by civil society against the government's Information Operation that continues to monitor dissidents and critics. When Twitter posed more significant security threats, activists encouraged citizens to move to alternative platforms such as 'Minds.' As a result of this online migration, the Minds app subsequently installed the Thai language to accommodate the influx of Thai users.[32]

STRENGTHENED VOLUNTEERISM AND SOLIDARITY

In March 2020, an Indonesian community volunteer launched an online platform called KawalCOVID-19 to help distribute reliable information amidst the lack of transparency and confusion over the spread of the virus among the public.[33] Indonesia's 'LaporCovid' volunteers also stepped in to provide real-time COVID-19 data and response. LaporCovid-19 allows people to submit reports regarding the latest COVID-19-related updates in their surroundings by responding to a digital questionnaire via the platform's official WhatsApp or Telegram group. That information is then compiled and channelled into a visual database that illustrates the contagion scale in a region on a publicly accessible platform, laporcovid19.org.[34]

Malaysia's NGO campaign, 'Let Us Work with You,' successfully prompted the government to adjust an order that initially barred NGO access to migrant and refugee populations. Previously, the military and paramilitary were the only actors allowed to distribute pandemic-related aid to these communities. The amended order enabled NGOs to distribute emergency supplies to affected communities following the campaign.[35]

In Thailand, government measures that hampered food donations did not deter civil society from helping communities with basic needs. Spread across dozens of provinces in all parts of Thailand, 'Pantries of Sharing' were set up to offer food for people. All of the pantry locations were put on a map by the community to record. As seen at one location in Phuket, the pantries usually had a sign encouraging people to take the food they needed or leave food to share.[36]

32 Chonthicha Jangrew, "Thai student protesters in the time of COVID-19: New generation, new forms of resistance online", June 22, 2020, https://www.apc.org/en/news/thai-student-protesters-time-covid-19-new-generation-new-forms-resistance-online.

33 Gemma Holliani Cahya, "Community groups unite to tackle misinformation on COVID-19", The Jakarta Post, March 10, 2020, https://www.thejakartapost.com/news/2020/03/09/community-groups-unite-to-tackle-misinformation-on-covid-19.html.

34 Rizki Fachriansyah, "COVID-19: Volunteers build crowdsourced databases to capture true scale of outbreak", The Jakarta Post, April 20, 2020, https://www.thejakartapost.com/news/2020/04/20/covid-19-volunteers-build-crowdsourced-databases-to-capture-true-scale-of-outbreak.html.

35 Grace Chen, "JKM's New Guidelines Allow NGOs to Distribute Food to Needy Folk," Star, April 2, 2020, https://www.thestar.com.my/metro/metro-news/2020/04/02/jkms-new-guidelines-allow-ngos-to-distribute-food-to-needy-folk; Janjira Sombatpoonsiri, "Contentious Civil Society Action", Carnegie Europe, December 7, 2020, https://carnegieeurope.eu/2020/12/07/southeast-asia-between-autocratization-and-democratic-resurgence-pub-83139.

36 Coconuts Bangkok, "Help the Hungry: 'Sharing Pantries' Spread Across Thailand", Coconuts Bangkok, May 11, 2020, https://coconuts.co/bangkok/news/help-the-hungry-sharing-pantries-spread-across-thailand/.

IV. Conclusion

The COVID-19 pandemic exposed both the alarming situation of shrinking civic space in Southeast Asia, as well as the resiliency of civil society in defending fundamental freedoms. Restrictions during the outbreak – on mobility, movement, and speech, among others – have pushed many civic organizations to engage and develop new ways to maintain democracy amidst increasingly authoritarian environments. It is clear that the COVID-19 pandemic has and will continue to reshape Southeast Asian civil society, which has fought and grappled with a great many challenges in a short time. Looking further ahead, the experience of civil society during the pandemic is likely to continue building a civic freedom movement that strengthens and mobilizes grassroots action and solidarity.