



BACKGROUND GUIDE

WAMUNC XXIV

ASEAN

LETTER FROM THE CHAIRS

Hi! My name is Elena Graham, and I will be your Chair for the ASEAN committee at WAMUNC XXIV. I am a senior at George Washington University studying International Affairs with a concentration in Security Policy and a minor in Computer Science. Here at GWU I am part of the International Politics Cohort in the Women's Leadership Program and the GW Military and Veteran Student Society. I have interned both for the House of Representatives and the Institute on the Study of War, an open-source national security think-tank, working on technology policy and cybersecurity threats that focus on data collection and governance. I am very excited to serve as your Chair this year and would love to welcome you all to WAMUNC XXIV!

Hello, I'm Lele Stokes and I will be your Co-Chair for the ASEAN committee. I am also a senior at GWU, studying International Affairs with a concentration in International Development. I am part of the sorority Kappa Kappa Gamma, where I was Vice President for a year, and I am an active member of the GW Women's Pre-Law Association. I am super excited to see what you guys come up with this year, and I can't wait to hear everyone's solutions!

COMMITTEE OVERVIEW

The Association of Southeast Asian Nations traditionally has been tasked with integrating its member states economically to bolster the region's influence. Since its conception, Southeast Asia has seen tremendous economic growth, despite a downturn during the 1997 Asian Financial Crisis. However, rapid economic growth and increasing technological integration must be supported by appropriate political and social reforms, many of which are lacking in the region. For the first time, ASEAN may have to venture out of its jurisdiction to ensure the protection of citizens against online polarization and exploitation. With the rise of the entire Asia Pacific on the global agenda and the even greater rise in the prevalence of social media, the significance of any actions taken by this body has increased drastically. Aside from increasing economic development, member states must now consider non-traditional security measures to protect against the externalities of technological integration. Rather than focusing on the role of governments in regulating the Big Tech industry, current trends in the international community are focused on pushing for data regulation or changes to polarizing algorithms through independent industry regulation.

For many Southeast Asian nations, however, technological development is crucial to the ongoing industrialization process, where economic growth is still a variable, and political stability still a luxury. Most thus have chosen to seek rapid economic development and stabilization of the state as a whole while temporarily suspending the interests of individual communities. Additionally, some countries lack the capacity to ensure the safety of their people. Countries like Thailand are not yet able to adequately address certain human rights issues such as migration, immigration, displacement, and trafficking, muddling the effectiveness of the government in regulating data protection and polarization. In the more extreme example of Myanmar, the regime persecutes its opponents to solidify political power yet has been the site of conflict almost directly caused by the impacts of social media. As a result of political instability, governments may be opposed to granting their people certain freedoms.

Foreign intervention to prevent human rights violations and restrictions on the development of technological innovation would only weaken the image and development of the regime further. Some ASEAN member states thus are strong proponents of the noninterference principle that is central to ASEAN's conception. They believe that peaceful relations in the region can only be achieved if each member state respects the sovereignty of others. In addition, they are wary of domination by strong, foreign powers. For these reasons, some ASEAN member states are strongly opposed to the discussion of human rights.



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Historical Background

In 1967, Indonesia, Malaysia, and the Philippines were entrenched in a dispute over the formation of Malaysia in 1963, with Thailand acting as the moderator. This particular dispute was significant in that it led to the creation of one of the most important alliances, the first successful regional alliance in Southeast Asia, and one that would become a model for developing countries around the world. The Association of Southeast Asian Nations was conceived by the Foreign Ministers of these four countries in addition to Singapore, who realized that disputes like the one in 1967 only served to undermine the Southeast Asian region. To truly progress economically, technologically, politically, and socially, these nations would have to support one another. On 8 August 1967, after much debate accompanied by games of golf to alleviate the tension, the ASEAN Declaration, also known as the Bangkok Declaration, was signed at a beach resort in Bang Saen, not far from the city of Bangkok. The agreement expressed the need for increased economic growth and higher living standards within Southeast Asian nations. Political stability was another sought-after goal, and leaders identified two main obstacles to it: regional disputes and external intervention. The five countries agreed that they needed to eliminate confrontation among themselves and prioritize regional interests above national ones. They also strongly felt that while they did not wish for the formation of ASEAN to be seen as a provocation to other nations with interests in the region, Southeast Asian nations needed to break the chains of foreign domination. The final Bangkok Declaration was abstract in many ways, but it laid the foundation for an alliance that would endure unlike the Association of Southeast Asia that had failed before. The Bangkok Declaration called for cooperation among its five member states to attain economic as well as social and cultural growth. It advocated for peace and stability through justice under the law. It encouraged member states to pool their resources, asserting that collaboration was necessary to develop trade as well as the agricultural, transportation and communications sectors. It additionally urged member states to join together to promote Southeast Asian studies. It highlighted the importance of establishing positive relationships with international and regional organizations.

Through this Declaration, Indonesia, Malaysia, the Philippines, Singapore, and Thailand created ASEAN, with membership extended to include Brunei Darussalam, Viet Nam, Lao People's Democratic Republic, Myanmar, and Cambodia for a total of ten member states today.

A number of special relationships between ASEAN and specific groups of countries have been established, an example being ASEAN Plus Three, a meeting held for ASEAN member states, China, Japan, and South Korea. Through these meetings, ASEAN opens dialogue with non-Member States concerning regional issues as well as possible areas of collaboration. Although criticized by some for being too lenient in its recommendations and lacking enforcement mechanisms, ASEAN has taken a number of steps towards fulfilling its mission. In 1971, ASEAN passed a declaration called the Zone of Peace, Freedom and Neutrality proclaiming its intention to remain free from intervention by outside powers. 1976 proved a productive year for member states: the Declaration of ASEAN Concord was drawn up, outlining in more specific terms the areas in which collaboration was needed, with an emphasis on economic cooperation. 1976 also saw the passage of the Treaty of Amity and Cooperation in Southeast Asia, calling on member states to respect each other's sovereignty and reiterating the importance of resolving disputes by peaceful negotiation rather than force. This spirit of non-confrontation between member states and non-intervention from external powers has been termed the "ASEAN Way," and has guided the body's decisions since the beginning. The Agreement on the Establishment of the ASEAN Secretariat was also passed in 1976, laying out the leadership structure of ASEAN and defining the tasks associated with each role. The ASEAN community is built on the three pillars of the ASEAN Political-Security Community, ASEAN Economic Community, and ASEAN SocioCultural Community. It calls for further integration of ASEAN by establishing a legally binding framework, which was presented to ASEAN in November of 2015 as the ASEAN Community Vision 2025. The effect of this framework on Southeast Asia and the region's interactions with other nations remains to be seen, as they work towards the goals such as greater economic integration, an inclusive and dynamic socio-cultural environment, and greater geopolitical security among all of its member-states.

General Topic Background: The Metaverse

Following the rapid global expansion of social media use, websites like Facebook, Instagram, and Tiktok have become daily products in the lives of billions. Specifically in 2021, Facebook reported over 2.85 billion monthly active users (MAU), with child companies WhatsApp, Instagram, and Messenger having 2, 1.39, and 1.3 billion MAU respectively. Facebook, currently known as Meta Platforms Inc. following 2021 changes, and Meta-owned products consistently rank the most prevalent social media used internationally with 2.76 billion people using a product daily, while apps like Youtube and Tiktok only reach about 2.29 billion and 732 million users respectively in the same period. Despite the popularity of apps like Tiktok skyrocketing after launch in states like Cambodia, Indonesia, Malaysia, Thailand, and Vietnam, Facebook and Instagram remain the apps that users in ASEAN feel they face the most “negative experiences” with due to poor protective services. The lack of user protection services, which might protect how user data is collected and sold, censor hate-speech, or limit the proliferation of extremist content, have faced increasing scrutiny in recent years as Meta-owned products have become breeding grounds for political and cultural polarization. Furthermore, the collection and sale of personal identifiable information (PII) by Meta to political analytics companies like SCL Elections and Cambridge Analytica have created a questionable legal ethicacy of social media companies. More than 100 election campaigns in over 30 countries, including electoral victories in Thailand, Indonesia, and the Philippines, have reportedly been influenced by targeted ad campaigns using Meta-collected data that capitalize on spreading divisive, polarizing content to gain support for candidates. As companies like Meta have begun to expand their already expansive influence to political campaigns, the issue of how social media should be regulated to protect the political rights and cultural stability of ASEAN states is becoming increasingly crucial.

Polarizing Content

Following backlash with the Cambridge Analytica scandal in 2018, where it was discovered millions of Facebook users' personal data was collected without consent and used for political advertising, Facebook attempted to change their algorithm to protect user privacy and limit polarization. However, many changes attempting to limit the proliferation of extremist, polarizing content have had the exact opposite impact. Initially, Facebook attempted to revitalize the site's algorithm to focus on "meaningful interactions," "high-quality news," and limiting stories and repetition according to user interaction. Despite attempting to focus on "meaningful interactions," which tried to encourage more user interactions with friends and family than professionally produced content, has effectively forced publisher and political parties to reorient "their posts towards outrage and sensationalism" in order to gain the same user interaction as before. With the introduction of "Reactions" on posts, allowing users to interact with content outside of resharing or commenting, Facebook increased the proliferation of extremist content on the site, as polarizing content tends to receive the most extensive "Reaction" responses by users. Whether "Reactions" are from outrage or agreement, polarizing posts are recommended more frequently to users. As a result, internal Facebook memos reported that "misinformation, toxicity, and violent content are inordinately prevalent among reshares," forcing political parties and publishers to "shift their policy positions so they resonated more on the platform." In example, Facebook AI experiments showed that within five days of site use, the platform was "recommending almost exclusively" extremist content to both left and right wing users. Despite efforts to limit extremist hate content, with Meta hiring over 7500 employees speaking over 40 languages hired to monitor content in real-time, efforts were largely restricted to fixes that preserved Facebook's engagement, resulting in lackluster, biased industrial regulation. Over 5.8 million Facebook accounts of international politicians, cultural figures, and groups were whitelisted, allowing them to violate site policies and standards without consequences. Inequitable enforcement of site standards has allowed Facebook to suppress political movements and content it superfluously deems inappropriate, even if a group is not "chronically in violation of Facebook policies." Under the guise of a "coordinated social harm policy" Facebook has restricted content of groups once they create real-world violence, but, hoping to maintain site traffic, allows groups to use the platform to develop movements.

Thus far, efforts by Facebook to limit the proliferation of polarizing content has largely failed as Facebook continues to allow an invisible hierarchy of elite users to circumvent rules and has increased the circulation of extremist, viral content for site profit.

Political Implications

The non-consensual collection and sale of user private data from Facebook or Meta-owned products has created further issues, as polarization has begun to be used as a political tool in global democratic elections. Research has shown that elections influenced by companies like SCL Elections “deliberately exploit tehnic tensions” in national elections to help clients. By dissuading opposition supporters from voting and deepening cultural divisions, elections influenced by campaigns using PII collected from Facebook have been condemned by international elector monitors for corruption and incredibility. Furthermore, the ethicacy of the collection of data like personal ideologies, socioeconomic status, and biometric measures--like insight into user fertility and health--in order to best direct targeted ads without explicit user consent has resulted in public outrage at the violation of personal privacy. While the proliferation of polarizing content already creates a cultural echochamber of dissent, the use of PII in influencing the outcome of elections not only exploits international human rights of personal privacy, but the stability and legitimacy of democratic systems. Internal reports and domestic legal proceedings against Facebook solidify the international consensus that many political parties and international organizations “worry about the long term effects” on democracy of using polarization as a political tool. International backlash at the nonconsensual collection of PII has resulted in the international community pushing for greater protection of personal privacy, yet regulating the collection, transfer, and sale of PII has proven difficult. While many states in the ASEAN region have displayed support for regulation of PII, both as a means to limit the risk of cyberattacks and protect growing digital economies, there has been a difficulty in ensuring that regulations don’t hinder technological innovation.

In 2018, the European Union published the General Data Protection Regulation (GDPR), regulating what data analytics companies are allowed to collect and monitoring how the data is used. As the ASEAN Economic Community created an integrated market for all of the countries in the region in 2015, the close trade-relationship between the EU and ASEAN means many organisations within the ASEAN region will “be required to be compliant with the GDPR.” However, as of 2021, Facebook has largely been able to stepside GDPR regulations on user consent and data transfer by arguing users enter a contract with the site upon creating an account, a contract that explicitly allows the site to bypass user consent requirements to collect and transfer data from the EU wherever it pleases. As regulations on the collection, transfer, and sale of PII have largely been focused on national jurisdiction, a lack of an international legal consensus on how the Big Tech industry should protect and preserve personal privacy has resulted in international corporations like Meta circumventing rules entirely.



Topic A: Polarization

Regional Impacts

For many states in South and Southeast Asian democracies, cultural polarization has roots in their respective formation as modern nation-states. Social ethnic, religious, or ideological fissures have weakened democratic institutions in these states, as many political leaders utilize polarising rhetoric to gain political support, “fueling intolerance toward and even violence against minority groups.” As a result, polarization has culminated in democratic breakdowns in Thailand and worrying democratic erosion in states like Indonesia and Malaysia. As Southeast Asia is the fastest growing global internet market, states like Indonesia, the Philippines, Singapore, Malaysia, Thailand, and VietNam having some of the highest percentages of Facebook uses globally. The unprecedented expansive reach and connectivity offered by Facebook has created a threat to government stability for many states in the region. In many cases, individuals have harnessed the power of social media to amplify their xenophobic messages by seeding false information into an already complex and confusing information environment as a way of gaining support for their cause among those people least tolerant of living amid such ambiguity. As hate speech spreads and gains wider acceptance, it accelerates the erosion of already weak civil societies, marked by incessant intercommunal strife and underdeveloped institutions. Over time, this fragmentation of society may pose an existential threat to the integrity of the region’s most fragile democracies. The lack of trust in official news outlets, promotion of cultural and ethnic divisions by leading politicians, and continued proliferation of polarizing content to the millions of users in ASEAN states poses a threat to the stability and legitimacy of state regimes.

Past International Actions

In 2021, the United Nations Strategy and Plan of Action on Hate Speech established a framework to attempt to limit the impact of hate speech holistically, from “causes and grievances driving it, to its impact on victims and societies.” While the Strategy does well to attempt to limit proliferation of hate speech across the international community, the effectiveness of implementation continues to rely on independent national enforcement of the standards.

The NATO Strategic Communications Center of Excellence has attempted to tackle misinformation and the spread of fake news that creates societal polarization within NATO members. Research done by the COE argues that once people have been exposed to manipulative misinformation, they “continue to rely on and believe it even if it has been debunked.” To combat the proliferation of misinformation, the COE has proposed an “inoculation theory,” stating that educating and pre-exposing individuals to the risk of misinformation decreases the impact of that information on personal ideologies. As a result, numerous countries in the Baltics and the EU have begun requiring media literacy education to “inoculate” citizens to the influence of misinformation with surprising success.

Country Specifics

Myanmar: The use of social media to spread rumors and Islamophobic rhetoric sparked limited bouts of violence in 2012 and 2014. Facebook in particular has served as a platform to disseminate hate speech directed at the country’s Muslim community large writ and lists have been distributed online of companies, organizations, and individuals accused of attacking Buddhism. 48 Most recently, the country’s military has come under international censure for allegedly committing atrocities in Rakhine State in response to a small-scale attack on military outposts in August 2017 by a group calling itself the Arakan Rohingya Salvation Army (ARSA), perpetuating violence that broke out the previous October. During a press conference in March 2018 to announce the interim findings of a U.N. fact-finding mission on the situation, the chairman, Marzuki Darusman, told reporters that social media had “substantively contributed to the level of acrimony” toward the Rohingya.

Thailand: The communal tension between Buddhists and Muslims spurred on by social media has similarly played out in neighboring Thailand. Buddhist nationalists have taken to platforms such as Facebook to spread anti-Muslim rhetoric and false narratives. Most notably, in October 2015, a popular monk named Phra Apichart Punnajanto posted a message to Facebook in which he said that a mosque should be burnt down for each Buddhist monk killed in the southern conflict.

Although he has since been defrocked, the controversy bolstered his popularity and led to an outpouring of support on social media. While social media has been fanning the flames of communal violence domestically in Thailand, it may also be influencing similar clashes outside the country's borders as there is evidence that Buddhist nationalists in Thailand, Myanmar, and nearby Sri Lanka have been interacting with one another over social media to amplify fabricated versions of events.

Indonesia: When Indonesian President Joko Widodo was running for office in 2014, he was the target of a smear campaign on social media that alleged he was of Chinese descent and a Christian, accusations that he sought to refute by posting his marriage certificate to Facebook and making a pilgrimage to Mecca just before the election. Subsequently, in late 2016, a video surfaced online in the run-up to Jakarta's gubernatorial election in which the Chinese Christian incumbent, Basuki Tjahaja Purnama, commonly referred to as "Ahok," appeared to be criticizing the Quran, sparking public outrage. He not only lost his re-election bid to a conservative Muslim candidate following a massive protest, but was also later sentenced to two years in jail for committing blasphemy. Although it was subsequently exposed that the individual responsible for uploading the video had edited the speech, during which Ahok was actually chastising his political opponents for citing a verse in the Quran to dissuade people from voting for him, rather than criticizing the holy book itself, the former governor remains imprisoned

Philippines: Philippine President Rodrigo Duterte has also proven himself especially adept at using Facebook to enhance his power. Facebook served as one of the major battlegrounds in the country's 2016 presidential election, with each of the five candidates using the platform to campaign. As has become the norm throughout Southeast Asia, social media in the Philippines is now teeming with fake news.

Cambodia: Cambodia serves as a particularly conspicuous case study as Prime Minister Hun Sen has become increasingly reliant on Facebook as a means to propagandize his ruling Cambodian People's Party. Hun Sen's embrace of the platform most likely was seen as a political imperative following the stunning

performance of the opposition Cambodia National Rescue Party in the 2013 general election. The youthful demographics in Cambodia, where two-thirds of the population is under the age of 30, has made it necessary to find ways to appeal to younger voters. It is an especially tall order for a 65-year-old who has ruled with an iron fist for more than three decades to cultivate a softer image to make inroads with today's youth. Nevertheless, Hun Sen has sought to diminish his authoritarian image online by frequently posting selfies and messages about his family. More disturbing than this manipulation of Facebook to fake support through buying "likes", however, has been Hun Sen's use of the platform to fake news.

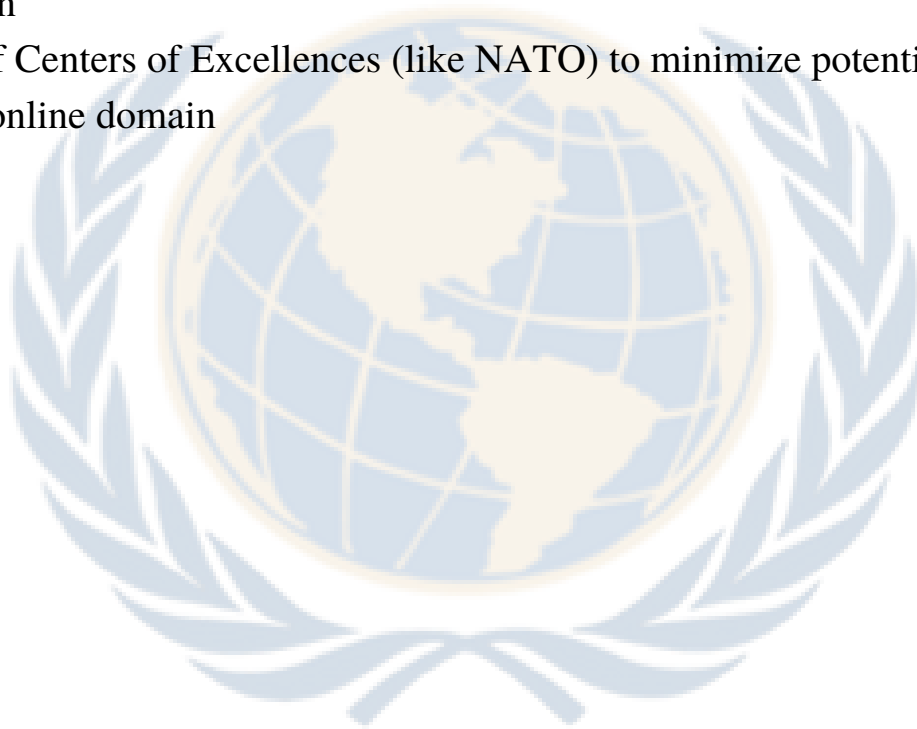
Questions to Consider in Resolutions

Solutions will need to consider how to combat polarization, either regionally, nationally, or internationally. However, consideration should be given on how to mitigate issues arising from abusing censorship of misinformation to restrict the right to the freedom of expression. As international law allows for states to restrict the freedom of expression to ensure domestic stability and rule of law, consideration should be given to how social media regulation will protect international human rights while ensuring political stability. Yet, solutions should focus on how the international community can regulate the creation and proliferation of content that can lead to domestic polarization. It is crucial to consider if regulating social media companies is within the jurisdiction of the UN, or if the solution to limiting polarizing content should develop from industry standards outside of international legislation. Likewise, consideration should be given to the benefits of social media as well as the drawbacks, as social media has proved an invaluable resource in the growth of civil society movements like the 2010 democratic-revolution of the Arab Spring. Solutions should allow international technology and telecommunications industries to continue efficient, effective development that is crucial to the vitality of many online economies and industrialization of states in the region. Albeit, solutions should focus on potential methods of regulating social media as a platform for extremism and hate-speech, as polarization poses a substantial threat to the democratic development of many states in the region.

Furthermore, polarization has become increasingly used as both a tool to muster domestic political support and a means of international manipulation. As domestic polarization threatens internal political cultures, solutions may likewise consider how international influences from foreign hackers spreading misinformation domestically threatens to weaken the legitimacy of ASEAN regimes.

Possible Solutions

- Increased norms of transparency and online literacy to promote education on online misinformation
- Promotion of Centers of Excellences (like NATO) to minimize potential security threats in the online domain



Topic B: Data Regulation

For a region quickly growing to hold one of the world's largest economies, internet usage remains an important factor in the economic prosperity of ASEAN. As the world's leading internet-user region, the area's connection to technology is affected heavily by data regulation. The development of "disruptive technologies," such as the internet, in the Master Plan on ASEAN Connectivity 2025 is one attempt for the region to comply with its population's increasing use of the internet. The rapidly changing environment of ASEAN with digital technology exacerbates the problems of data regulation, as free flow of information is needed in the region. The rules providing data regulation are fragmented and scattered among the ASEAN nations, not allowing a unified set of laws to govern the region. As of 2020, data breaches have reached an all-time high as a global issue for the digital world. In December of 2019, the breach of personal information for 2,400 Ministry of Defense and Singapore Armed Forces individuals was threatened. The potential release of personal data, including full names, NRIC numbers, and addresses, for many individuals in the Singaporean government is one of many potential threats of breaches into data privacy.

Despite the role of Facebook and social media in building civil society networks, social media has posed an increasing risk to the democratization process of many states in the region, as modern authoritarians have adapted to preserve their power amid growing pressures brought about by technological change.

Past International Actions

By 2018, the United Nations released the Principles on Personal Data Protection and Privacy, establishing precedents to respect the right to privacy in the collection and use of personal data, contained in any form, and processed in any manner. Likewise, the international human right to privacy is affirmed in Article 12 of the Universal Declaration on Human Rights and Article 17 of the International Covenant on Civil and Political Rights, as well as in regional European and American conventions on human rights. Within the Human Rights Declaration of the Association of Southeast Asian Nations, Article 21 specifically establishes that the right to privacy includes the "right to be free from arbitrary interference with his or her privacy, family, home, or correspondence including personal data."

ASEAN Regional "general personal data protection laws"

Malaysia: The 2010 Personal Data Protection Act (PDPA) was created in Malaysia to promote transparency in the collection of digital data. The Act requires those holding personal data from commercial activity to provide individuals with a clear explanation of what information is being distributed and to whom it is delivered. The PDPA also requires written consent from the individual who has data being examined.

Singapore: Also following regulation called the PDPA, this act was adopted by Singapore in 2012. This act largely mirrors the Malaysian PDPA, but holds a breach provision that requires data miners to notify the commission of the PDPA of breaches that constitute the compromising of more than 500 individuals' personal information.

Philippines: The Data Privacy Act of 2012 (DPA) and the Implementing Regulation Rules of the DPA (IRR) are the key pieces regarding data regulation in the Philippines. Both require transparency in the acquisition of data and consent from the individuals being monitored. Unlike both the PDPA from Singapore and from Malaysia, the DPA does not restrict the sharing of data outside of the country. The subject of the data must be informed of the reasoning and scale of its information being shared in order for the data to be marketed. For marketing information with a third-party, a contract must exist.

Thailand: Thailand holds two main institutions for regulation, its own PDPA and the Civil and Commercial Code (CCC). The PDPA was delayed enforcement with the beginning of the pandemic, and the CCC has come under breach for its regulations, however both provide structure to maintain data privacy for individuals. The PDPA has extraterritorial jurisdiction in its acquisition of "Data Controllers," as it dubs those who monitor and use information of individuals. Marketing of data for commercial use is allowed on the precondition that it does not affect the individual rights of the data user.

For Laos, Viet Nam, Cambodia, and Indonesia, there are no general applications regarding data privacy, but specific sectors hold laws regulating the sharing and collecting of personal information. In Brunei and Myanmar, there are no laws with respect to data privacy and personal information.

https://unsdg.un.org/sites/default/files/UNDG_BigData_final_web.pdf

<https://unsceb.org/personal-data-protection-and-privacy-principles>

Questions to Consider in Resolutions

Solutions will need to focus on data regulation as a way to maintain privacy rights to the individual without restricting the flow of information in a way that harms the regional economy. The answer can be regional, national, or international, but it must account for the issues of data regulation: the rising digital economy in the region, the disconnected data privacy laws between nations, and the international actors involved in e-commerce in the region. Important factors to consider when providing a solution is how data regulation should be handled while maintaining accordance with the international structures set up that support human rights. The UDHR and other contracts that uphold the right to privacy must be maintained while taking into account the digital transition these nations are experiencing. Solutions should uphold an understanding of the obligations of human rights in this aspect without harming the online economy. Another factor to be covered is the regulation of data collection in regards to transnational and international corporations and their avenues for profit. Solutions should look to answer how the region can monitor and adapt to international actors looking to profit and intervene in the data collection of the area.

Possible Solutions

- Creation of norms and principles relating to the privacy regulation domestically
- Consumer Protection Laws vs Data Protection and Privacy Laws
- Human Right VS Trade Regulation vs Domestic law
- Regulation of transnational corporations: who can tax and how

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