

GNI Recommendations for the Proposed ASEAN Guidelines on the Governance of Digital Platforms

The Global Network Initiative (GNI), a multistakeholder organization working to safeguard and advance freedom of expression and privacy in the technology sector, expresses concern about the human rights implications of the proposed [ASEAN Guidelines on the Governance of Digital Platforms](#) (“Guidelines”). The Guidelines represent a significant step for the Association of Southeast Asian Nations (ASEAN), with the potential to shape not only how people in the region exercise their rights to freedom of opinion and expression and privacy, but also the future development of ASEAN’s digital economy. However, GNI is concerned that, so far, their development has proceeded in a relatively opaque manner, without open and meaningful multistakeholder consultation.

GNI appreciates the efforts of UNESCO, the European University Institute (EUI), and ASEAN to convene diverse stakeholders at the [ASEAN-UNESCO Multistakeholder Forum on the Governance of Digital Platforms](#) in Bangkok in October, where representatives of the Governments of Thailand and Laos introduced elements of the proposed Guidelines. The Forum provided a welcome opportunity to facilitate dialogue among different stakeholder groups and to highlight areas of shared concern and interest in shaping effective regional approaches to the governance of digital platforms. However, the full draft of the proposed ASEAN Guidelines was not shared with participants, nor has it been made publicly available. Indeed, information about the consultation and review timeline was only communicated orally during the meeting and neither ASEAN, nor the co-drafters, appear to have disclosed any other details in any official communications. As a result, the relatively few stakeholders who were invited to provide input were only able to do so based on high-level recommendations presented at the Forum, within a very short timeframe, and without clarity on how such feedback would be incorporated. The proposed Guidelines are apparently now undergoing review by ASEAN Member States, again without publicly accessible documentation or clear opportunities for national-level engagement. Consistent with UNESCO’s [Guidelines for the Governance of Digital Platforms](#), **GNI encourages the ASEAN Secretariat to extend the consultation period, publish the draft for open public comment, and establish a transparent process that enables meaningful multistakeholder participation throughout the development of the Guidelines.**

GNI has closely monitored developments across Southeast Asia’s technology and human rights landscape and has repeatedly raised concerns regarding data protection, online safety, intermediary liability, and content regulation frameworks, including in [Malaysia](#), [Vietnam](#),

[Indonesia](#), [Singapore](#), and [elsewhere in the region](#). With the adoption of the United Nations Convention Against Cybercrime (UNCC) in October, risks to privacy, freedom of expression, and access to information have [increased](#). These developments will directly affect how global technology companies operate in the region, particularly given their commitments to international human rights standards such as the UN Guiding Principles on Business and Human Rights (UNGPs), which the proposed Guidelines should meaningfully include. GNI notes that four ASEAN member states (Thailand, Malaysia, Vietnam and Indonesia) have already either adopted, or are in the process of developing, National Action Plans on Business and Human Rights in accordance with the UNGPs.

Southeast Asia is also a region where digital transnational repression is [well documented](#) and could worsen under expansive or unclear regulatory frameworks. In this context, the design of the proposed Guidelines is particularly important: based on the high-level elements shared orally by representatives of Thailand and Laos at the Forum, certain elements of the draft, such as references to algorithmic transparency, fact-checking, and capacity building, appear constructive at first glance. However, the proposed Guidelines seem to address an overly broad array of issues without providing sufficient definitional clarity or emphasis on safeguards, including mis- and dis-information, transparency and fairness, scams, illegal content, consumer protection, digital market competition, user rights, data sharing, and interoperability.

From the limited information presented at the Forum, it also appears that the proposed Guidelines draw on elements of European Union (EU) frameworks such as the Digital Services Act (DSA), the Digital Markets Act (DMA), and the General Data Protection Regulation (GDPR). If multiple regulatory domains are being integrated in this way, the inclusion of clear definitions, procedural safeguards, judicial oversight, and independent oversight mechanisms will be essential to avoid operational confusion and ensure effective, rights-respecting implementation. Likewise, while flexibility for Member States in defining illegal and harmful content may allow for national nuance, additional clarity and safeguards could help prevent inconsistent implementation or overly restrictive regulations that complicate platform compliance and heighten the risk of rights impacts.

GNI encourages the ASEAN Secretariat and ASEAN Member States to take a human rights-based approach and:

- take a human rights-based approach to their efforts around content regulation

- consult its regional human rights mechanisms, including the ASEAN Intergovernmental Commission on Human Rights (AICHR), to ensure alignment of the proposed Guidelines with international human rights standards
- extend the review period, make the full draft of the Guidelines publicly accessible and establish a credible process for engaging stakeholders at regional and national levels. .

GNI also encourages UNESCO, the European Commission, and other international organizations and governments to support ASEAN and its member states to achieve these outcomes. GNI remains available to support ASEAN and others in their efforts to develop rights-respecting and effective guidelines that contribute to a safe, open, and inclusive digital environment across the region.

About the Global Network Initiative (GNI)

GNI is the leading multistakeholder forum for accountability, shared learning, and collective advocacy on government and company policies and practices at the intersection of technology and human rights. Bringing together over 110 academics, civil society organizations, tech companies, and investors from around the world, GNI helps set a global standard for responsible company decision-making to foster transparency and accountability, as well as promote and advance freedom of expression and privacy rights across the technology ecosystem. For more than 17 years, GNI has monitored and engaged on regulatory and policy developments across its priority areas, including [network disruptions](#), [intermediary liability and content regulation](#), [privacy and surveillance](#), [data, information, and network governance](#), and [artificial intelligence and emerging technologies](#). With the help of a diverse and expert membership, GNI has developed a variety of [tools and resources](#) to support governments, civil society actors, tech companies, academics, and investors in navigating and responding to the complexities of the technology ecosystem.