German-Southeast Asian Center of Excellence for Public Policy and Good Governance
CPG

Grasp the pattern, read the trend

Asia in Review

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Dear Reader,

With greetings from the CPG team, I am happy to present you this week's update on major developments in 'Law and Politics' and 'International Relations, Geopolitics, and Security' in Asia. Among the topics covered in this issue are the human rights situation in Bangladesh, Sri Lanka and Indonesia, high-profile corruption cases in Indonesia and China, and the Chinese-Indian struggle for dominance in Asia.

I hope you find the selection of articles useful and enjoy reading. As always, do not hesitate to get in touch if you would like to share feedback or ideas with us on AiR or any other matters.

Very best regards,

Henning Glaser

Director, German-Southeast Asian Center of Excelllence for Public Policy and Good Governance (CPG)

P.S. Please find on our webpage the recently uploaded latest issue of CPG's Online Magazine (COM 5, 2017) with, among others, two pieces on China.

Main Sections

- Law and Politics in South Asia
- Law and Politics in South East Asia
- Law and Politics in East Asia

- International Relations, Geopolitics and Security in Asia
- Background Reading

Law and Politics in South Asia

India: Top leadership of Islamic militant organization in Kashmir Valley wiped out

Indian Army officers say they destroyed Pakistan-backed Islamic militant organization Lashkar-e-Taiba's top leadership in the Kashmir Valley in a battle that took place in Jammu and Kashmir's Bandipora district on Saturday. The Lashkar leader was killed along with the six terrorists and an Indian Army commando in the gun battle. Indian commanders continue counter-terrorist operations as they continue efforts to wean young militants away from the terrorist organization [The Financial Express]. Concurrently, Indian officials doubt any direct IS involvement in the November 17 attack that killed a policeman. Globally, IS has claimed credit for attacks from Las Vegas to Bangladesh and Europe in an effort to gain attention and adherents, with authorities often dismissing its involvement due to either lack of concrete proof or political caution about admitting IS presence. Indian intelligence acknowledges an IS strike into Kashmir would be "cause for worry", but they are more immediately concerned over the ability of the terrorist organization to attract self-radicalized recruits [Times of India].

India: 5 factors that make it the most corrupt country in Asia

Moody's upgraded India's credit ratings last week, praising the reforms taken by the Modi government – but India remains the most corrupt country in Asia, according to the latest list by Forbes. According to an 18-month survey by Transparency International in March this year, where it talked to more than 20,000 people in 16 countries, regions and territories in Asia Pacific, India's bribery rate stands at 69 pct. In five of the six public services – schools, hospitals, ID documents, police, and utility services – more than half the respondents have had to pay a bribe. The report, however, recent steps taken by the Modi government against corruption did have a positive impact on the citizens. India is followed by Vietnam on the number 2 spot with a bribery rate of 65%, followed by Thailand with a bribery rate of 41 pct. And Pakistan placing number 4 [The Financial Express].

Bangladesh: Rohingya crisis to be solved internationally, not bilaterally

China urged Bangladesh and Myanmar resolve the Rohingya crisis through bilateral negotiations instead of an international initiative, openly criticizing the international community's efforts to help resolve the crises as reflected in the Reuters article. More than 600,000 Rohingya have fled to Bangladesh since late August, driven out by a military clearance operation in Buddhist majority Myanmar's Rakhine State. However, Bangladesh's Foreign Minister Abul Hassan Mahmood Ali says Bangladesh is trying to resolve the issue both bilaterally and internationally as it could not afford the huge burden of the refugees [Reuters]. In the second article, a leading Bangladesh minister and political leader Obaidul Quader reinforced his Foreign Minister's stand, saying that Bangladesh wants United Nations involvement in discussion with Myanmar for repatriation of the Rohingya. The international community remains engaged in the crisis, despite Chinese criticism: A U.S. Congressional delegation visited Bangladesh on Saturday, and Sweden's foreign minister Margot Wallstrom, EU High Representative for Foreign Affairs and Security Policy Federica Mogherini, Germany's Foreign Minister Sigmar Gabriel, and Japanese Foreign Minister Taro Kona will also visit Bangladesh this week [The Independent].

Sri Lanka: Officers ordering soldiers to sexually assault Tamil detainees?

Earlier this month, the Associated Press published an explosive report documenting more than 50 Tamil men's allegations that Sri Lanka's security forces sexually assaulted and tortured them. Their accounts of gang rape, sexual humiliation, and penetration with barbed wire are supported by medical records and psychiatric evaluations. The news broke at an inconvenient time for Sri Lanka, which is up for its Universal Periodic Review at the U.N. Human Rights Council this week. The government delegation's assurances of a "zero tolerance policy" on torture sat awkwardly alongside reports of shocking—and shockingly routine—abuses. The author of this piece notes that despite these human rights abuses, the international community continue to treat Sri Lanka like a good faith actor, restoring preferential trade arrangements and deepening military partnerships [The Washington Post].

Sri Lanka: PM reveals secret debts of former regime

Prime Minister Ranil Wickremesinghe testified before an investigative commission this week regarding the secret accounting practices of the former regime which had misled even the International Monetary Fund. Wickremesinghe detailed questionable practices involving bond sales before the "Presidential Commission of Inquiry to Investigate and Inquire into the Issuance of Treasury Bonds", to include failure to put government projects "on the books" and failure to pay contractors. The government still has liabilities of 500 to 600 million dollars as a result of the "creative accounting of the former regime", but still is investigating the degree of additional unaccounted-for debt [Daily News]

Law and Politics in South East Asia

Thailand: Cabinet reshuffle

An upcoming cabinet reshuffle that has caused rumors and uproar last week [Khaosod], has supposedly been finalized but the details not yet made public. Notably, the PM recently stated that he plans to have more civil than military ministers in his cabinet. For this reshuffle, more military ministers will leave than join the cabinet [Nation].

Thailand and Indonesia: Corruption cases

Whilst officials in Thailand seek to make use of a new law passed in September in order to prosecute former PM Thaksin in absentia on graft charges [Reuters], Indonesia's anti-corruption agency KPK has made a bold move in arresting top Golkar politician and speaker of the House of Representatives Setya Novanto. He stands accused of being part of the corruption scandal around the electronic identity card system in 2011 and 2012 [WSJ] So far, despite relatively few staff members and a low budget, the KPK has a record of wining every graft case it handled. This is a particularly hefty case however, with the House fighting back- it has launched a special inquiry into the KPK's own conduct. Back in Thailand, Phuket to be precise, an investigation into bribery and the police is making headlines. Positive voices point out that illegal practices are likely to recede with increasing regulation [Nation].

Myanmar: Human Rights Law, the Tatmadaw and the Rakhine State crisis

The International Commission of Jurist, ICJ, has published a report on the ongoing crisis in Myanmar,

detailing the extraordinary role of Myanmar's military in the conflict and how they are operating outside of a human rights framework due to their special role in Myanmar's polity. Their position is incompatible with rule of law principles, which has exacerbated the crisis [Full Report][Summary]. Amnesty International said this week, persecution of Rohingya Muslims fits the legal definition of apartheid [Amnesty International]. In the meantime, at the Asia Europe Foreign Ministers Meeting (ASEM), Auung San Suu Kyi has done little to dispel international criticism regarding her retraction from moral leadership [A Times].

Indonesia: Religious freedom?

In Indonesia, where Islam, Catholicism, Protestantism, Buddhism, Hinduism and Confucianism have long been the only officially recognised religions, a constitutional court ruling earlier in November has ruled the state ought to recognise traditional faiths as well [A Times]. Whilst this sounds like a win for religious freedom in Indonesia, minority beliefs still face an uphill battle, and the trend of more fundamental Islam in the country is also increasing [Diplomat].

Cambodia: A defiant Hun Sen and a dissolved CNRP

If there still was one electoral threat to Hun Sen's Cambodian People's Pary (CPP) in the upcoming elections scheduled for July 2018, this threat has now disappeared. After a long list of changes made to electoral and other laws recently in order to stifle the opposition, the Supreme Court, presided over by a judge who himself is a senior party member of the CPP, has ruled to dissolve the Cambodia National Rescue Party (CNRP) and ban its senior officials from political activity for five years [PP Post]. Earlier this year, former CNRP leader Kem Sokha was accused of plotting with "foreign powers" to overthrow the government. The US has now announced it will cut its funding for the election after the Supreme Court decision, which amid growing investment from China, let the PM unimpressed [Reuters]. Hun Sen in the meantime, goes back to common election strategies of his party, handing out cash envelopes to potential voters and promising popular reforms [A Times]. Two Cambodian journalists working for US-supported Radio Free Asia were charged with espionage, exemplifying the ever-worsening trends in the country [BKK Post].

Philippines: Duterte's concern for the environment

Maybe surprisingly to some, President Duterte is sticking to a ban on open-pit mining for its damaging impact on the environment. The ban had been imposed under a former Environment Secretary, defying calls from the business community that point towards large revenues created by mining. Duterte stated that he wants the extraction of minerals to continue, but less environmentally damaging ways needed to be found [DW]. The efficacy of the ban is highly contested however, with some arguments brought forward against it here [PhilStar].

Law and Politics in East Asia

China: Beijing vies for greater control of foreign academic and media influence

In line with Xi Jinping's word's at the National Party Congress "Government, military, society and schools — north, south, east and west — the party is leader of all", the Ministry of Education has issued a directive according to which foreign funded universities are ordered to establish CCP units and give decision-making power to a party representative. This order, applying to more than 2000 Sino-overseas joint ventures [Financial Times 1], follows a string of measures recently taking by the government in order

to tighten control over education, including the establishment of Xi Jinping Thought centers in universities or pressuring foreign publishing houses to block access to articles and educational material, the latest example of which is Sage publishing house which confirmed this week to have received a warning of the government on a possible censorship request [Financial Times 2]. Meanwhile, Australia's largest publisher Allen & Unwin's decision to delay the publication of the book "Silent Invasion: How China Is Turning Australia into a Puppet State" marks the first case of a foreign publisher bowing to Chinese pressure in the home country [THE New York Times].

China: 626 million surveillance cameras expected within 3 years

With 176 million surveillance cameras installed in 2016 and an expected increase up to more von 620 million in 2020, China's surveillance industry is moving forward with high speed outpacing any other country including the UK regarded as the world's most monitored country. Chinese Hangzhou Hikvision Digital Technology of which 42% belongs to the Chinese government is the world's largest producer of CCTV cameras and video surveillance facilities [Technode].

China: Another high-profile party member arrested on corruption suspicion

In another prominent case of the government's anti-corruption campaign against high ranking state officials and party members, Lu Wei, former head of the Cyberspace Administration of China, has been arrested in the context of an internal anti-graft probe. Lu has served as Xi Jinping's right hand in the cyber-security policy implementation [South China Morning Post]. Meanwhile, reflecting continued efforts of the Chinese goverment to control the cyberspace, Skype has been blocked from Apple app stores on grounds of violating laws. Prior to Skype, other communication programs such as Gmail, Facebook, Twitter, Line, and Telegram has been blocked by the Chinese government [Ars Technica].

China: The new military leaders

Within his overhaul of the China's military leadership, Xi Jinping has reduced the number of members of the Central Military Commission from ten to six and staffed it with five loyal aides. James Char in this article shares insights about their career paths and their relationship to Xi thereon [East Asia Forum].

South Korea: President appoints disputed SME minister

President Moon has earned harsh critics of opposition parties for his appointment of Hong Jong-haak as SME and Startup Minister. The opposition parties massively protested against the nomination of Hong who they consider lacking competence and ethical qualification due to dubious financial transactions in the context of a building allowing members of his family to pay less tax [The Korea Times].

South Korea: Justice Minister vows no pause in prosecution reform

Justice Minister Park Sang-ki on Wednesday expressed his firm determination to push for an overhaul of the prosecution by setting up an independent agency in charge of investigating corruption cases involving high-level public officials and their family members. South Korea's prosecution has come under fire for being politicized with prosecutors gaining high posts in the previous government through their connections to then President Park who is currently standing trial for multiple corruption charges [Yonhap].

International Relations, Geopolitics and Security in Asia

Pakistan-Saudi Arabia relations: How deep ties with Pakistan's military helped Saudi purge

Pakistan has traditionally maintained that its bilateral relationship with the Kingdom of Saudi Arabia is its "most important diplomatic relationship." The high-level purge in Saudi Arabia last week appear to have hinged to a significant degree on the close relationship that the Kingdom shares with the Pakistani military. The two countries have long maintained a strong military relationship. Pakistani military personnel frequently serve in Saudi Arabia for training purposes, and its last army chief, General Raheel Sharif, now heads a 41-nation Islamic army coalition based out of Riyadh. While officials maintain that Pakistan is neutral between Tehran and Riyadh, in reality Islamabad is treading a fine line. "Even if the Pakistani troops aren't physically involved in an attack on Iran – or in Yemen, Qatar or Lebanon – the fact that we are bolstering Saudi defense domestically naturally makes us an integral part of their camp," a retired Pakistani Army officer said [Asia Times].

India: 'Quad' and OBOR

In the face of a radically altered strategic situation in the Indo-Asia-Pacific region, India is working with the US, Japan and Australia to resurrect the concept of a quadrilateral alignment of democracies. The "Quad" is not a new concept: it was conceived more than a decade ago, but the concept failed due to weak political will and pressure from its presumed target of deterrence, China. Will the idea materialise this time? And is the idea of Quad bigger than what is generally perceived — a partnership to contain China's illiberal and hegemonic designs? The author of this Op-Ed

examines the history of the Quad concept, the China deterrence aspect, and larger strategic issues the Quad can address. He concludes it is a "win-win" for India to pursue it. Meanwhile, the Chinese Communist Party enshrined President Xi Jinping's "Belt and Road Initiative" (BRI) into its constitution at the 19th National Congress in October. This massive global infrastructure investment plan at least partly prompted last week's quadrilateral meeting between senior officials from the United States, Japan, India, and Australia on the future of a "free and open Indo-Pacific." India's participation in the dialogue signals that China's method of implementing the BRI is driving a wedge between these neighbours. By its heavy-handed treatment of sovereignty disputes, China has lent credence to critics of the BRI who see it as a nationalist endeavour rather than a program of international cooperation. Fuelled by suspicions of China's ulterior motives for BRI and its China-Pakistan Economic Corridor, India has increased cooperation with other powers [The Daily Times (Pakistan)] [The National Interest].

India-China relations: A new bipolarity in Asia on the rise

With China's assertiveness and ambitions for global leadership on the one side, boldly reaffirmed in Xi Jinping's speech at the recent Party Congress, and India's growing self-confidence in claiming regional power status, reinforced by the latest developments in US-India ties and Washington's reassurances of the importance of a free and open Indo-Pacific region, the trend towards a Sino-Indo bipolar order in Asia is clearly discernable. However, to sustain such an order India would be required to form a bloc among Asian countries aimed at containing China. This will be a huge challenge, given China's determination to bring by force and economic incentives more and more countries on her side [The Hindu].

Japan-China relations: East China Sea tensions

Prime Minister Abe last week expressed his determination to strengthen Japan's defense capabilities and push for the development of own missiles capable of striking targets on land and at sea to defend the country's sovereignty on remote islands [South China Morning Post]. The expected Chinese reaction followed shortly: On Saturday and Sunday Chinese military and intelligence aircraft flew through

international airspace between the Japanese islands of Okinawa and Miyako in the East China Sea prompting Tokyo to scramble jet fighters [The Diplomat]. In a related move, Chinese bombers and jets were detected flying over the Bashi Channel located between Taiwan and the Philippines on Thursday [Reuters].

Japan-Philippine relations: Increasing Tokyo's military assistance

In a move deepening the security cooperation between Japan and the Philippines, Manila has commissioned three new vessels from Japan. This commission follows an earlier order of 10 patrol ships on the basis of an official development loan from Tokyo [The Diplomat].

Vietnam-US relations: Defense cooperation at new heights

During President Trump's visit in Hanoi last week both presidents expressed their strong determination to deepen their countries' defense cooperation aimed at defending both Hanoi's and Washington's strategic interests in the South China Sea against Beijing's assertiveness. Their joint announcement to initiate a memorandum of understanding to operate the implementation of prior bilateral security agreements, Trump's reaffirmation of the intention to send next year a U.S. aircraft carrier to Cam Ranh Bay, where China unilaterally placed an oil-drilling rig in waters 120 miles from Vietnam's coast in May this year, as well as Trump's offer to sell missiles to Vietnam reflect the current soaring of Vietnam-US relationships [The Diplomat].

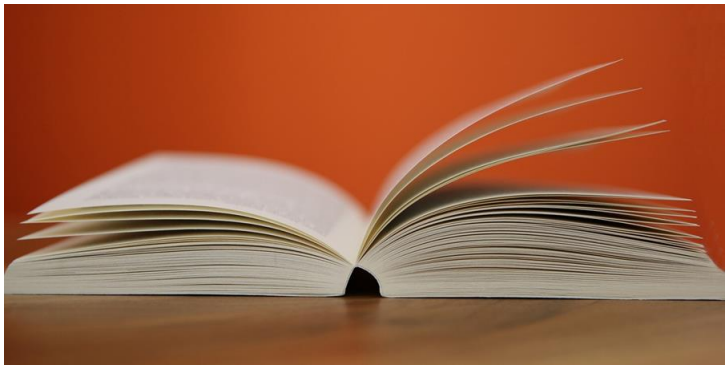
Indonesia: Boosting air and sea denial capabilities

The Indonesian government is building up air and naval facilities, for example on the Natuna Islands, in what some observers call an increasingly assertive reaction to Chinese activities in the region [ATimes].

ISIS in Southern Thailand?

The International Crisis Group has published a report examining the influence of ISIS in Thailand's southernmost provinces after a growing number of media reports of ISIS activity in the region. It has however found little evidence of any significant ISIS influence [Full Report]. A somewhat shorter version is accessible at [WEF].

Background Reading



Electoral Process in Malaysia

With the general elections coming up before August next year, this ISEAS piece provides some interesting background information on the electoral process in Malaysia and its effect on the political system. One major finding of the paper refers to the institutionally entrenched advantages of the incumbent party in the electoral contest which has facilitated the dominance of the United Malays National Organisation (UMNO) [ISEAS].

China's Rise and Dominance in the South China Sea

Two articles dealing with the rise and development of China under communist rule since 1949 and her dominant position in the South China Sea by Jan Kliem and Grant Newsham are available in the latest issue of CPG's Online Magazine [CPG COM].

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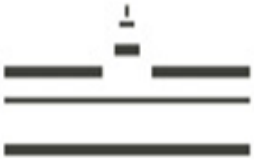

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