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Grasp the pattern, read the trend

Asia in Review

(4/11/2018)

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Dear Reader,

Welcome to the fourth issue of CPG's *Asia in Review* in November 2018, updating you on the latest developments in law, politics and international relations in Asia.

I hope you enjoy reading!

Best regards

Henning Glaser

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Law and Politics in East Asia

China: Beijing set to launch social credit system

(dql) Beijing city government announced its action plan to install the social credit system by end of 2020 for the 22 million people city. It is expected to set up a scoring system by 2021 that rates each resident's trustworthiness from data collected from several agencies including tourism bodies, business regulators and transit authorities to reward and punish citizens based on their actions and reputations by the end of 2020, with those with better so-called social credit will get benefits while those who violate laws will face the possibility of being blacklisted "finding it hard to move even a single step." [Bloomberg] [Beijing City Government, in Chinese]

Taiwan: Shift in political landscape after ruling DPP hit hard in local elections

(dql) The ruling Democratic Progressive Party (DPP) suffered a major defeat in Saturday's local election losing seven of the 13 cities and counties it held. Overall, the DPP was able to win only six out of 22 races. In reaction to the results President Tsai Ing-wen

announced her resignation as party head vowing serious self-introspection and internal reform of the party. [Taipei Times]

In a related development, Premier Lai Ching-te has offered to resign signaling taking responsibility for the party's crushing defeat in the local. Upon Tsai's refusal to accept his resignation, he announced to remain in his post citing the need for continuity. [Focus Taiwan]

Shifting the political landscape, the opposition Kuomintang (KMT), meanwhile, won 15 seats, celebrating a strong recover after its defat in the 2014 local elections, when it won races in only six cities and counties, among them the big cities Taipei, Taichung and Kaohsiung. [Xinhua] [Taiwan News]

In particular, the unexpected victory of the KMT in Kaohsiung, a traditional stronghold of the DPP, where the party has ruled for the last 20 years, is a promising signal for the party with regards to the 2020 legislative and presidential elections, given that the city is the nation's third-largest with 2.28 million voters. [South China Morning Post 1]

Meanwhile, voters rejected same-sex marriage in Taiwan in a referendum which along with nine other referendums was held at the same as the local elections. [Amnesty International]

Mainland Chinese state media and officials were quick to claim Tsai's leaning towards independence of Taiwan as cause for DPP's defeat which demonstrated "that the Democratic Progressive Party (DPP) has lost people's support and conveyed a strong signal to the US that no country shall fool Taiwan residents or attempt to play the Taiwan card to contain the mainland." [Global Times] According to Ma Xiaoguang, spokesman for the Taiwan Affairs Office of the State Council, the election outcome "reflected the strong will of the public in Taiwan to share the benefits of peaceful development across the Taiwan Straits, and their desire to improve the island's economy and people's well-being." [China Daily]

In a latest development, Beijing expressed readiness to increase cooperation between Taiwan's cities and prefectures and the mainland. [South China Morning Post 2]

South Korea: Parliament back to work

(dql) South Korea's National Assembly returned to normal parliamentary business last week passing

contentious economic bills after a weeklong impasse over partisan conflicts. [Yonhap] [AiR 3/11/2018] The impasse was overcome after the ruling Democratic Party (DP) agreed to meet the opposition's demand to launch a parliamentary investigation into irregularities found in Seoul Metro's hiring process which is controlled by the DP-ruled Seoul City Government while the opposition parties accepted DP's proposal of increasing the number of members of budget review subcommittee from currently to 16 by raising the number allocated to the ruling party by one. [Korea Herald]

Japan: Working until 70?

(dql) In a move to promote economic growth under the pressure of a fast-aging society, the Abe administration announced plans to raise the working age limit from the current threshold of 65 to 70. The plans are expected to be decided at a meeting of the Council on Economic and Fiscal Policy on Monday to serve as a basis for an action plan to be adopted summer 2019. They signal Prime Minister Shinzo Abe's first step towards reforming the country's social security system over a three-year period to better cover all generations. [Mainichi]

Law and Politics in South Asia

Sri Lankan constitutional crisis still in a stalemate

(ls) Sri Lankan lawmakers opposed to disputed Prime Minister Mahinda Rajapaksa won control of the Parliament Selection Committee, a key committee setting Parliament's agenda, during a vote Friday that dealt a severe blow to Rajapaksa's leadership. Previuosly, Speaker Karu Jayasuriya announced Sri Lanka had no prime minister or government after Parliament passed no-confidence motions against Rajapaksa in partly violent parliamentary sessions. Rajapaksa does not hold a majority of the 225-member Parliament. [US News] [Time]

Sri Lanka has been in a political crisis since 26 October when President Maithripala Sirisena abruptly fired Prime Minister Ranil Wickremesinghe and appointed Rajapaksa. Both claim to be the legitimate officeholder, with Wickremesinghe saying he has majority support in Parliament and his firing was invalid. Wickremesinghe still lives at the prime minister's residence and Rajapaksa has the premier's official offices. In a bid to resolve the crisis, Wickremesinghe and Rajapaksa both went to meet the president at his office in the capital for negotiations but failed to end the political deadlock. [Straits Times]

Sirisena had dissolved parliament and ordered elections to break the deadlock, but the Supreme Court ordered a suspension of that decree earlier this month, as it hears petitions challenging the move as unconstitutional. A verdict is expected on 7 December. It was not clear how the impasse will end if the court finds his move to dissolve parliament unconstitutional. If it is constitutional, Sirisena can call for a general election. [Reuters]

On Sunday, Sirisena said that he would never reappoint Wickremesinghe as prime minister. Sri Lanka's parliament meets on November 27 and 29 to discuss a motion by the United National Party (UNP), that supports Wickremesinghe, to cut off government spending. [South China Morning Post]

The bureaucracy, however, keeps working. Even though there is no Cabinet recognized by Parliament, and despite warnings by Wickremesinghe supporters that state officials should not take orders from an "illegal government" of Rajapaksa, bureaucrats continue to work with the president who is the chief executive and the ministers appointed by him. However, decisions regarding new projects or purchases involving large sums of money are on hold. [VOA]

Meanwhile, following intense protests, the police reversed the sacking of a top police detective investigating a string of high-profile cases involving

also charges against members of the Rajapaksa family. He had been transferred to an inactive position after he had secured a court order to arrest Admiral Ravindra Wijegunaratne, the country's most senior military officer who is accused of protecting a navy intelligence officer who was allegedly involved in a child murder case. He is also lead investigator in several other high-profile cases involving the family of Rajapaksa. [South China Morning Post 2]

More than 1,000 Islamists arrested in Pakistan at anti-blasphemy protests

(ls) Pakistani authorities arrested Khadim Hussain Rizvi, a firebrand Islamic cleric, and over a thousand of his supporters at the weekend as they sought to stop a massive protest in Islamabad against the court acquittal of Asia Bibi, a Christian woman previously sentenced to death for blasphemy. The crackdown follows violent protests by Islamists that paralysed parts of the country earlier this month. The arrests appear to reflect a new willingness by Pakistani prime minister Imran Khan to confront Islamists as he seeks international support to tackle the country's profound economic challenges. [Financial Times]

India: Mass protests for a god statue as Hindu nationalism continues to grow

(ls) An estimated 50,000 Hindu nationalists rallied in the Indian city of Ayodhya on Sunday demanding prime minister Narendra Modi's party build a temple to the Hindu god Ram on the place where in 1992 thousands had stormed a Mughal-era mosque and demolished it, believing it was built at the site where Ram was born. However, the Indian state of Uttar Pradesh said it will instead build the world's tallest statue depicting Ram. The statue – along with a decision this month to rename the surrounding district from its Mughal-era name Faizabad to Ayodhya – are seen as efforts to temper the anger of rightwing Hindu groups at the continued delay in building the temple. Representatives of Muslim groups said the rally "terrified" Muslims in the city. [South China Morning Post]

Bangladesh: Parties start revealing list of nominated candidates for upcoming

elections

(cc) The Awami League has nominated its candidates for the upcoming 11th parliamentary elections. Sheikh Hasina, the current Prime minister, will run for both Gopalganj 3 and Rangpur 6 constituencies. The joint general secretaries Jahangir Kabir Nanak and Abdur Rahman as well and organizing secretaries Muzzammel Haque and Bahauddin Nasim, all of them senior leaders of the party, have been left out of the nomination. [Bdnews24] [Dhaka Tribune]

The Bangladesh Nationalist Party (BNP) and Jatiya Oikya Front said they will finalize their candidates by Wednesday, November 28. [Dhaka Tribune 2]

First announced for December 23, the general elections have been postponed to December 30 by the Election Commission. The EC said it will formally invite foreign observers and journalists. [Dhaka Tribune 3]

Law and Politics in Southeast Asia

Singapore: Finance Minister set to become next Prime Minister

(dql) Singapore's Finance Minister Heng Swee Keat was elected the ruling People's Action Party's first assistant secretary, making him the top member of the party's central executive committee and paving the way for him to become the country's fourth Prime Minister after Lee Kuan Yew (1954-1992), Hog Chok Tong (1992-2004), and Lee Hsien Loong (since 2004). The next general election will be held latest April 2021. Since 1959 the People's Action Party has won all general

elections, mostly either by supermajority or even by 100% of the seats.

Heng, who began his career in the Singapore Police Force, has been in parliament since 2011 and was Minister for Education from 2011 to 2015 before assuming the post as Finance Minister. [South China Morning Post]

Myanmar: Fourth Union Peace Conference to be held in December or early 2019

(cc) The spokesman for the office of the President announced another Union Peace Conference, also known as 21st Century Panglong Conference, next month or in early 2019. According to the peace process' framework, such talks between the government, the Tatmadaw and the 10 Ethnic Armed Organisations (EAO) that have signed the Nationwide Ceasefire agreement are to be held every six months. The last Peace conference was held in July this year, more than a year after the second one held in May 2017. The recent suspension of participation to the process by the Karen National Union (KNU) and Restoration Council of Shan State (RCSS), two of the largest signatories EAOs raises the question of the possibility to organise the 4th Union Peace Conference before the end of the year. [The Myanmar Times]

Myanmar: High Court allows Reuters' journalists appeal

(cc) On Tuesday, Wa Lone and Kyaw Soe Oo's lawyer announced that the High Court allowed their appeal, filed at the beginning of this month. The two Reuters' journalists were sentenced to seven years imprisonment in September for breaking the Official Secret Act. Arrested in December 2017, the reporters were investigating into the killing of 10 Rohingya Muslim men and boys by security forces and local Buddhists in Rakhine state. The appeal cited evidence of a police set-up and lack of proof of a crime. Their conviction in September provoked indignation from Human Rights organisations and the international community while Myanmar's de facto leader maintains that their case has nothing to do with freedom of expression. [Reuters]

Thailand: Defections hit Pheu Thai Party, again

(dql) [AiR 3/11/18] reported that key members of the Pheu Thai party have resigned or are expected to resign from the party and join the newly formed Thai Raksa Chart Party to contest the next election. In this issue we again report on more heavyweights having defected Pheu Thai Party to the government-supporting Palang Pracharath Party (PPRP), further weakening the former ruling party. The latest defectors mostly belong to the Pheu Thai's powerful Wang Bua Ban faction, controlled by Yaowapa Wongsawat, a younger sister of former Thaksin Shinawatra and a former MP for Chiang Mai. [Bangkok Post 1]

The latest round defections are to be seen against the background of fears that the Pheu Thai Party might be dissolved the Election Commission's the inquiry into a meeting of party members with former prime minister Thaksin Shinawatra in Hong Kong finds the party let a non-member or outsider interfere in its internal affairs. [The Nation]

Meanwhile, key party figure Khunying Sudarat Keyuraphan took the top place in a latest poll on the people's choice for the post of the prime minister conducted by the National Institute for Development Administration. She received 25.2%, followed by General Prayut with 24.1%; Thanathorn Juangroongruangkit, the Future Forward Party leader, 14.5%; and Abhisit Vejjajiva, the Democrat Party leader, 11.7%. Asked for the party for form the core of the next government the respondents put the Pheu Thai Party on the first place with 31.8%, ahead of the Palang Pracharath Party 19.9%; the Democrat Party 17%; the Future Forward Party 15.6%. [Bangkok Post 2]

For an assessment of the Future Forward Party in comparison with another new-comer party, the Commoners' Party, see [New Mandala].

Thailand: Sweeping cyber security law in the making

(dql) Citing the "need to set a legal system whereby we can protect our society", Minister of Digital Economy and Society Pichet Durongkaveroj defended a cyber-security bill which has sparked fierce criticism from business communities, academics, social activists, and lawyers over the formidable powers the bill grants to involved agencies, in particular to the National Cyber

Security Committee (NCSC) which would be created under the new law and which would be authorized to access and seize computers and hard drives of individuals and private companies without a court order in cases of “reasonable suspicion” and “emergency”. The bill is currently finalized and is expected to be submitted to the National Assembly for approval by end of the year. [Bangkok Post] [South China Morning Post]

Vietnam: Tactics of covert resistance against state repression

(dql) Since the 2015 revision of Vietnam’s penal code which introduced harsh penalties of up to 20 years in jail and the death capital punishment, and in the face of growing state repression against political dissent, activists in Vietnam apply strategies and tactics to carry out resistance in covert form. Ann-Susann Pham Thi in [Open Democracy] introduces four of these tactics, namely hiding, fleeing, creating and merging.

International Relations, Geopolitics and Security in Asia

Pakistan: Separatists attack Chinese consulate in Karachi; bomb detonates on northwestern market

(ls/dql) Signaling the ambiguous perception of China's BRI in Pakistan, three suicide bombers attacked the Chinese consulate in Pakistan's southern city of Karachi on Friday, marking the most prominent attack in Pakistan against neighbor and ally China, which is pouring billions of dollars into the country in the frame of its Belt and Road initiative, within which the $60 billion China-Pakistan Economic Corridor is a flagship project.

The three attackers stormed the Chinese consulate but were killed before they could force their way in with a car packed with explosives. The attack that killed four people was claimed by the separatist Baloch Liberation Army (BLA) that opposes Chinese projects linked to its Belt and Road initiative in the southwestern Pakistani province of Baluchistan. Pakistan has long accused its old rival, India, of supporting the nationalist insurgents in Baluchistan. India, however, denies any support and condemned the violence. A Chinese foreign ministry spokesman said China would "continue unswervingly" to work with Pakistan to develop economic projects. [Reuters]

China has funded development of a deep-water port at Gwadar in south Baluchistan, and is also investing in other projects on a China Pakistan Economic Corridor. Baluchistan, which is on the borders of Afghanistan and Iran, has rich mineral and natural gas reserves but is Pakistan's poorest province. Separatists have for decades campaigned against what they see as the unfair exploitation of resources, in particular natural gas and minerals. [South China Morning Post]

The exact numerical strength of the BLA is not known. Most analysts agree that the group comprises several hundred members who operate in the province of Balochistan as well as neighbouring Afghanistan. Until now, the group's biggest targets have been the Pakistani military and workers hailing from other provinces, mostly Punjabis. The BLA last struck on 11 August in an attack on a bus carrying Chinese engineers in Dalbandin, about 340 southwest of the provincial capital Quetta. [South China Morning Post 2]

In a separate development, at least 31 people were killed when a bomb exploded on an open-air market in northwest Pakistan on Friday. The attack at the market in Orakzai, a tribal district southwest of the provincial capital of Peshawar, targeted a shopping area frequented by minority Shiite Muslims. The Islamic State in Iraq and Syria (ISIS) group claimed responsibility for the attack. For several years, Pakistani Taliban militants have struck at Shiites, whom they view as apostates. [LA Times] [Straits Times]

The United Nations Security Council condemned both attacks “in the strongest terms”. [UN News]

Gain of Indian influence in the Maldives as new president reassesses relations with China

(ls) Indian prime minister Narendra Modi met with newly elected Maldives president Mohamed Solih in Male, the capital of the Maldives, last week. It was his first visit to the Maldives as prime minister. The fall of China ally Abdulla Yameen in September may give India a chance to regain influence in the Indian Ocean. India has long been the security guarantor for Indian Ocean island states – not just the Maldives, but also the Seychelles and Mauritius – providing patrol vessels, helicopters and training. New Delhi’s relations with Male had steadily deteriorated, as China cultivated ties with Yameen. Beijing, having obtained naval basing rights in Djibouti, in East Africa, while also building a port at Gwadar in Pakistan, is interested in creating a naval base in the Maldives, as well. [South China Morning Post]

Meanwhile, it appears that the Maldives’ new government will pull out of a free trade agreement (FTA) with China. “The trade imbalance between China and the Maldives is so huge that nobody would think of an FTA between such parties,” said Mohamed Nasheed, the chief of the ruling Maldivian Democratic Party. Former president Yameen signed the FTA during a visit to Beijing in December, and the same month his parliament ratified the treaty. During Yameen’s presidency, China has underwritten millions of dollars in loans for infrastructure in the Maldives. [Reuters] [Economic Times]

The Chinese Ambassador to the Maldives dismissed claims that the Maldives owed the Chinese government a 3-billion-USD debt, stating the figure was “deeply exaggerated”. He said many had been misinformed and, according to the official figures on the Maldives Monetary Authority website, the Maldives' total external debt up to now amounted to 1.2 billion U.S. dollars out of which 600 million U.S. dollars was to China. [Xinhua]

Pakistan/Malaysia vow to help each other tackle national debts

(ls) Pakistan and Malaysia have pledged to help each other tackle rising levels of national debt during Pakistan's new prime minister, Imran Khan, first visit to Kuala Lumpur since coming to office in August. The move by the two Muslim-majority nations follows concerns over growing levels of Chinese-linked sovereign debt. On coming to office Malaysian Prime Minister Mahathir Mohamad cancelled some US$22 billion worth of Chinese projects, while Khan asked Beijing for significant shifts in the infrastructure projects agreed to as part of the China-Pakistan Economic Corridor (CPEC). [South China Morning Post]

World Bank support for Nepal

(ls) The World Bank provides financial assistance of $155.7 million to Nepal to invest in the construction and maintenance bridges and improving food security of vulnerable households and communities. The fund will be invested in strategic road networks and food and nutrition enhancement projects. World Bank Vice President for South Asia Region, Hartwig Schäfer, reiterated the World Bank's commitment to support Nepal in its ambitious transition to federalism, as he concluded a five-day visit to the country. [Kathmandu Post] [Modern Diplomacy]

China-US relations: War of words continues as formal adjudication of legal disputes over US trade policies begins at the WTO

(dql) Against the background of the WTO's Dispute Settlement Body (DSB) announcement last week that it agreed to establish panels to review US President Donald Trump's decision to hit a long line of countries with tariffs, Beijing and Washington clashed at the WTO meeting, as a US envoy accused China of using the WTO to pursue "non-market" policies while a Chinese official blamed Washington for violating international trade rules. [Reuters]

Countries filing a lawsuit against the USA besides China include Canada, Mexico, Norway, Russia and Turkey as well as the European Union. [Straits Times]

In a related development, China demanded "special treatment" by the WTO citing its status as a developing member nation of the WTO. It also called upon the WTO to "respect the development models of individual member countries." [South China Morning Post] The

demand is an apparent rebuke of a suggestion put forward by Kevin Hassett, chairman of the US President's Council of Economic Advisers, to expel China from the WTO for misbehavior as WTO member. [BBC]

China-Philippine relations: South China Sea oil and gas agreement signed

(dql) Deepening the relations between China and the Philippines, both sides signed a memorandum of understanding on joint oil and gas development in the West Philippine Sea during President Xi Jinping's Xi state visit last week. Beijing announced that it is ready to enter into a 60-40 joint exploration arrangement, with Manila receiving 60% of the oil and natural gas deposits and Beijing obtaining the remaining 40 percent. The MoU was one of 29 agreements aimed at boosting cooperation in trade and investment, infrastructure, agriculture, education, culture, as well as people-to-people exchanges. [Sunstar]

For the text of the MoU see [Rappler].

Meanwhile, recent satellite images show that China has installed a new platform on a remote part of the Paracel Islands which could be used for military purposes, according to the think tank Asia Maritime Transparency Initiative of Washington's Center for Strategic and International Studies which reviewed the images. [Reuters]

China-South Korea: Talks on trade remedies

(dql) South Korea and China discussed ways to ease trade disputes and expand investment opportunities between the two countries at last week's 18th bilateral trade remedy meeting in Beijing. Both sides also reviewed the implementation of the free trade agreement (FTA) which is focused on lowering tariffs on goods and has been in force since 2015. [Yonhap]

South Korea: New anti North-Korea navy missile to be deployed in 2019

(dql) South Korean defense industry officials announced that South Korea is ready to deploy newly

developed weapon systems next year, including ship-based guided interceptors aimed at countering North Korea's nuclear and missile threats. [Korea Herald]

South Korean former police officer elected head of Interpol

(dql) Last week, Interpol elected 57-year-old South Korean Kim Jong-yang as its new president. Kim, previously a vice president of Interpol, is the first South Korean to head Interpol. He worked in the South Korean police for more than 20 years before retiring in 2015.

His contender Russian former major general in Russia's interior ministry Alexander Prokopchuk was tipped to take the post but was opposed by Western politicians prompting Moscow's accusation of interference in the electoral process of an international organization. While the Interpol chief has a largely ceremonial role, Prokopchuk's election would have been considered a powerful win for Russia. [CNBC]

Japan-Russia talks on peace treaty to end territorial dispute

(dql) Japanese Foreign Minister Taro Kono and his Russian counterpart agreed last week on close cooperation toward progress in talks to settle the countries dispute over what Japan calls Northern Territories, four islands that the former Soviet Union seized following Japan's surrender in 1945. They are known as the Southern Kurils in Russia. The dispute has blocked a peace treaty to formally end World War II until today. [Mainichi]

Cambodia: No Chinese military base on Cambodian soil, Hun Sen says

(dql) Responding to a letter of US Vice President Pence voicing concerns over an Asia Times report of a Chinese naval base under construction off the country's southwest coast in Koh Kong province, Prime Minister Hun Sen reassured last week that Cambodia will not permit foreign military bases on its soil. [First Post]

This was echoed by government officials this weekend denouncing the report as “just psychological warfare” and the Ministry of National Defence insisting that a site inspection is not required as there is nothing matching the Asia Times report there. [Phnom Penh Post]

Agreement on Cyber Security Pact between Indonesia and the United-States

(cc) On November 20, Indonesia's police chief and US Deputy Attorney-General agreed on a cyber security pact on the sidelines of the Interpol General Assembly in Dubai focusing on cyber security. The agreement aims at strengthening bilateral cooperation against transnational cyber and financial crime and comes shortly after the adoption of the Asean-US Leaders' Statement on Cyber-security Cooperation. The pact included training of the Indonesian police officers by their American counterparts. [Straits Times]

Vietnam and India deepening relations

(dql) Vietnamese Prime Minister Nguyen Xuan Phuc and Indian President Ram Nath Kovind held talks about a joint vision to further deepen the Vietnam-India comprehensive strategic partnership during the Indian leader’s state visit to Vietnam. Both sides agreed to regularly maintain visits and meetings at all levels, as well as people-to-people exchanges between the two countries, and effectively implement existing cooperation mechanisms and seek new measures to promote bilateral relations. [Nhan Dan]

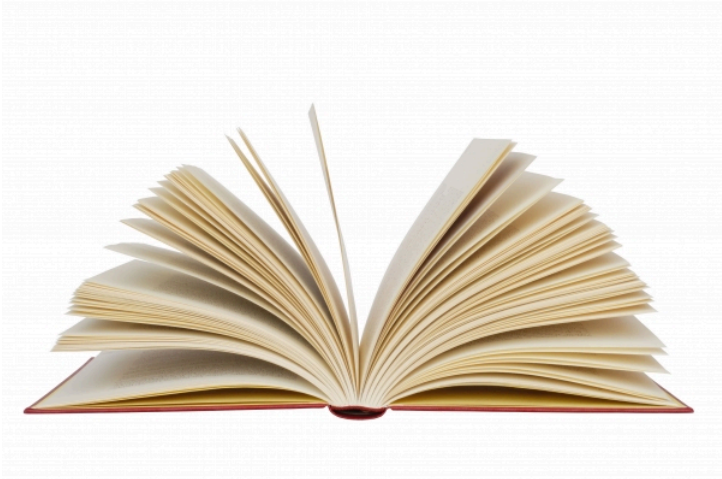
In a latest development, Indian Army Chief Rawat visited Vietnam for talks with Deputy Chief of the General Staff of the Vietnam People’s Army Pham Hong Huong and Defense Minister Ngo Xuan Lich on fostering bilateral defense cooperation including personnel training, defense industry, strategic research, and UN peacekeeping operations. [Vietnam Plus]

The meetings signal increased efforts of both countries to deepen their cooperation to counter China.

For Vietnam as a lever for the USA to promote the concept of a “Free and Open Indo Pacific” in Southeast Asia where many countries are reluctant to appear joining an anti-China coalition see Joshua Kurlantzick in [The Diplomat] arguing that upgraded ties between

Washington and Hanoi have the potential to convince "other Southeast Asian states that the Trump administration's regional policies are not zero-sum."

Background Reading



Cambodia: The long, hard road to Khmer Rouge justice

(dql) Last weeks' [AiR 3/11/2018] reported on the verdicts of the Extraordinary Chambers in the courts of Cambodia or "Khmer Rouge Tribunal" against leading Khmer Rouge figures Nuon Chea, second-in-command to Pol Pot, and Khieu Samphan, who served as head of state. For informative insights into the history of the creation of the tribunal from the perspective of Craig Etcheson, who was instrumental and devoted more than 25 years to achieving justice for the crimes committed under the Pol Pot regime, see [Asia Times].

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