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

Grasp the pattern, read the trend

Asia in Review

(4/12/2018)

Brought to you by CPG

Dear Readers,

CPG's 'Asia in Review' team wishes you a Merry Christmas and an interesting read on recent developments in geopolitics, international relations, domestic politics and constitutional law in Asia.

Have a very good day and a peaceful last week of the year!

Henning Glaser

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

Webpage: www.cpg-online.de, Facebook: https://www.facebook.com/CPGTU/

Main Sections

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

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

Law and Politics in East Asia

China: Supreme Court judges defend death penalty

(dql) In a rare public comment, judges of China's Supreme Court, responsible for reviewing and approving all death sentences before their execution, defended the punishment arguing that its abolishment would risk public anger as its use is overwhelmingly accepted in Chinese society. [Reuters]

In a related development, 121 of the United Nations 193 member states last week voted in favour of a resolution calling for a moratorium on the use of the death penalty at the UN General Assembly plenary session in New York. 35 countries voted against (among them the United States, Japan, China, Iran, India, North Korea, Syria and Zimbabwe) while 32 abstained. [Amnesty International] [Death Penalty Info]

China: New law on vaccine industry on the way aimed at restoring trust in public health system

(dql) In an attempt to regain lost faith in the country's vaccine industry, China's lawmakers are currently considering the draft Vaccine Management Law after

its approval by the Cabinet. Acording to the State Administration for Market Regulation the draft introduces the “strictest regulatory system on vaccines” covering research, development, production, distribution and use and allows for the first time ever patients and families to sue vaccine makers and distributors for punitive damages in case of knowingly selling faulty vaccines that cause death or serious illness.

Public trust in China’s vaccine industry has eroded over a string of scandals in recent years. In the latest ones causing a nation-wide outcry, Changchun Changsheng Bio-technology and the Wuhan Institute of Biological Products, two leading vaccine makers, were found guilty of selling faulty DPT vaccines given to babies as young as three months under public health programs. [South China Morning Post]

Japan: Government sued over forced sterilization cases

(dql) Two men who had undergone forced sterilization under the now-defunct Eugenic Protection Law have sued the Japanese state for damages amounting to combined 582.000 USD. The law which mandated the government to prevent people with intellectual disabilities from reproducing was in force from 1948-1996. During this period approximately 25,000 people are believed to have been sterilized on the basis of their disabilities.

Since the first sterilization lawsuit filed against the government in January this year, the number of such suits has increased to 15. [Japan Times]

The ruling coalition and opposition parties are working on a bill allowing for redress to be provided to those affected. The bill set to be submitted to the Diet around April 2019 is expected to include in the preamble an apology "for the great physical and mental suffering" inflicted. [Mainichi]

South Korea: Presidential office takes legal action against alleged whistleblower

(dql) Cheong Wa Dae, South Korea’s presidential office, filed a criminal complaint against Kim Tae-woo, the office’ former investigator, for raising false accusations and spreading officials secrets obtained during fulfilling his official duties, including corruption

allegations against people close to President Moon Jae-in and the ruling Democratic Party (DP). [Korea Herald] [Yonhap]

The move comes after the main opposition Liberty Korea Party (LKP) presented the so-called "surveillance documents" allegedly showing that the presidential house conducted illegal surveillance on former and incumbent high-ranking citizens and politicians. The documents are believed to have been written by Kim. [Korea Times]

Kim, who in the meantime has been dispatched by the Presidential Office to his previous investigator post at the prosecution, claimed that he had investigated many civilians in his capacity as special investigator of the Presidential House on behest of his superior, Park Hyoung-chul, secretary to President Moon Jae-in for anti-corruption. [Yonhap]

Law and Politics in South Asia

India's next step towards a surveillance state?

(hg) A new federal order issued by the Ministry of Home Affairs effectively authorizes 10 federal agencies to intercept, monitor, and decrypt citizens' data as an expansion of India's IT Act of 2000, precisely by broadening the scope of section 69 of the said law. The norm requires now a subscriber, service provider, or any person in charge of a computer to "extend all facilities and technical assistance to the agencies" listed by the law. Failure to comply can result in seven years of imprisonment and an unspecified fine.

The ten agencies listed by the law are: the Intelligence Bureau, the Narcotics Control Bureau, the Enforcement Directorate, the Central Board of Direct Taxes, the Directorate of Revenue Intelligence, the Central Bureau of Investigation, the National Investigation Agency, the Cabinet Secretariat (R&AW), the Commissioner of Delhi Police, and the Directorate of Signal Intelligence (for service areas of Jammu & Kashmir, North-East, and Assam only).

While this expansion of India's IT Act created a public outcry, it was justified with regard to rather vague national security concerns, including a claimed need to deal with foreign government interventions.

To calm down criticism, the Ministry of Home Affairs issued a clarification, explaining that any infringement in data freedom would be done as per due process of law, namely with approval from the Union Home Secretary, an assurance only highlighting the lack of independent control by courts of justice as it would be requested according to a sufficient separation-of-power standard. Moreover, the minister also added that some form of “tapping” has already been going on for a number of years and that the new order would help bring structure to that process.

The order might, however, be expected to be challenged in court as unconstitutional. [zdnet]

Noteworthy, the legislative move comes only days after the Australian government, in a global first, took a stricter approach to the way communications service are handled within its borders through a law that gives security agencies the power to access messages on encrypted platforms. [VB]

India freezes bank accounts of international NGOs as a part of a wider campaign

(hg) After Pakistan has just tightened its grip on international NGOs [AiR 3/12/2018], India has now also forcefully advanced against international NGOs freezing the bank accounts of two global NGO-flagships, Amnesty International and Greenpeace. The two cases are said to be part of a wider campaign against human rights groups in India that has seen not less than nearly 20,000 local NGOs deregistered since 2014. [The Guardian]

Pakistan: Former Prime Minister Nawaz Sharif sentenced to seven years in jail for corruption

(dql) Pakistan's former three-times Prime Minister Nawaz Sharif was sentenced to seven years in prison after an anti-graft court in Islamabad found that Sharif had accumulated wealth through unknown means which led to his ownership of a steel mill in Saudi Arabia.

Sharif, who was ousted from power last year by the Supreme Court as it investigated revelations that came out of the so-called Panama Papers, denied the charges denouncing them as politically motivated and pushed by the military to end his political career and destabilise his Pakistan Muslim League-Nawaz (PML-N) party.

Prior to the court's ruling, hundreds of supporters of Sharif clashed outside the courthouse with police. [Independent] [Bloomberg]

Bangladesh: Tense atmosphere and incertitude amid political campaign

(cc) The electoral campaign for the 11th Parliamentary election on 30 December continues in a tense atmosphere. On Thursday, Facebook announced it removed several accounts from its platform "for engaging in coordinated inauthentic behavior on our platform in Bangladesh." Nathaniel Gleicher, Facebook head of Cybersecurity Policy, said the accounts were used to post fake news against the opposition. [Dhaka Tribune]

On Friday, Human Rights Watch published a report "'Creating Panic' Bangladesh Election Crackdown on Political Opponents and Critics" in which the non-governmental organization criticizes "a repressive political environment" and accuses the ruling authorities of creating an "atmosphere of fear". HRW notes that most part of the violence targeted the main opposition political party, the BNP.[HRW]

The electoral violence started directly after the official launch of the campaign when two members of the ruling Awami League were killed on December 11. The opposition claimed on Wednesday that 14 of its candidates had been arrested and that approximately 1500 supporters and candidates were injured in attacks while the government denies being involved in

any form of harassment. The army was deployed Monday morning across the country “to maintain law and order” and to “restore voters' confidence”. [Daily Star] [The Independent] [the Washington Post] [Al Jazeera]

On Sunday, the government said it had approved 175 foreign observers and 118 local bodies to monitor the elections. The announcement follows heavy criticism from the US after the Asian Network for Free Elections (ANFREL), funded by the US government, cancelled its observer mission on Saturday due to “significant delays in the accreditation approval by the Bangladesh Election Commission and visa approvals”. [Reuters]

In another development, BNP said that the party's website was shut down by authorities since last week when they shut 54 news portals and websites for what they claimed were security reasons. [Straits Times]

Meanwhile, the High Court rejected Khaleda’s three writ petititons, barring her from contesting the election on December 30. Khaleda Zia, leader of the BNP and PM Hasina’s archenemy, was convicted and sentenced in two different cases to a total of 17 years imprisonment. On the same day a seven-member bench of the Supreme Court issued an order barring BNP candidates M Rashiduzzaman Millat, Tahsina Rushdir Luna and Syed Jahangir Alam to participate in the upcoming election. Following the High Court and Supreme Court orders 8 others BNP candidates are unable to take part in the general elections. [Daily Star]

Sri Lanka: Crisis in Sri Lanka is not over yet

(cc) Following the reinstatement of Prime Minister Ranil Wickremesinghe last week, President Sirisena appointed a new 30 members cabinet on Thursday. One of the most notable features of this government is that Sirisena did not appoint a Law and order minister, as he retains the power over the police. The President sacked PM Wickremesinghe for failing to seriously investigate an assassination plot against him, an allegation denied by the Prime Minister. Rajitha Senaratne, who has been appointed Minister of Health, Nutrition and Indigenous Medicine, said President Sirisena “kept the police with him temporarily till the investigations over the plot to kill him are over and till some reforms are introduced”. [Reuters] [Al Jazeera] [The Washington Post]

To avoid a government shutdown on January 1, the parliament approved a 1.77-trillion-rupee temporary

budget to cover for public expenditures during the first four months of the year. Finance Ministry spokesman Ali Hassen announced on Monday that it will present the full budget for 2019 in February. [The Washington post 2]

The country's institutions have been paralyzed during the 51 days long constitutional crisis caused by Sirisena's sacking of Wickremesinghe and appointment former strongman Mahinda Rajapaksa as Prime Minister.

Law and Politics in Southeast Asia

Indonesia: Heavy security amid holidays season

(cc) Approximately 20 persons have been detained by the Indonesian police ahead of the holiday season. The detentions are made under the anti-terror law that has been revised in May following suicide bombings in Surabaya and under which the police can hold a person who is suspected of planning an attack up to 21 days for an initial inquiry and, in case of formal investigation, up to 200 days in prison. Security in Indonesia is strengthened every year during the Christmas and New Year's holiday season since the multiple attacks on Christmas Eve in 2000 against different churches. [Reuters]

Almost 168,000 police personnel have been deployed to protect 58,000 locations around the country from terror attacks and other crimes during the holiday, a number 20% higher than for last year according to

National Police spokesperson Brig. Gen Dedi Prasetyo. [The Jakarta Post]

Indonesia: Corruption trial over 21 billion USD real-estate project kicked off

(cc) The trial for the corruption case related to Lippo conglomerate's Meikarta township project in Bekasi, West Java kicked off last week. Launched in 2017, "the Shenzhen of Indonesia" is a 21 billion USD project and involves 438 hectares of land in Cibatu, South Cikarang, Bekasi regency. In October, the corruption eradication commission (KPK) arrested several Lippo group's employees and officials in a bribery investigation. Among the defendant to the case, are suspended Bekasi regent Neneng Hasanah Yasin, Billy Sindoro, a former executive from Lippo conglomerate, as well as some consultants and employees of the project. They are charged under the Corruption Law and risk a maximum sentence of five years' imprisonment and 17,285 USD in fines. [The Jakarta Post]

Indonesia: Former West Bandung regent jailed in corruption case

(cc) The Bandung Corruption Court sentenced the former West Bandung regent to five years and half in jail for corruption as well as a Rp 200 million fine and Rp 485 million in restitution. The prosecutor required a higher sentence of eight years, Rp 400 million in fines and Rp 600 million in restitution. The corruption case concerns Abu Bakar's use of his position to fund the political campaign of his wife. Shortly after the verdict, the defendant said he accepts the country's sanction and expressed his wish that his case "can be a lesson learned to have a better administration free of corruption and collusion in the future." [The Jakarta Post]

Indonesia: Allegation of Chemical attacks in Papua

(cc) On December 22, the Australian weekly publication The Saturday Paper released a photography of Papuan villagers severely burned and accused the Indonesian military of using white phosphorus in its operation in Papua following the killing of several Indonesian

workers in the Nguda area on December 2 by armed separatist groups. The government denies these allegations and Indonesia's foreign affairs ministry said the country does not possess chemical weapons. The Free West Papua movement called for an urgent investigation. White phosphorus can cause severe burns that reach the bone and Protocol III of the 1980 Convention on Conventional Weapons prohibits its use as an incendiary weapon against civilian populations and in air attacks against military forces in civilian areas.

A spokesman of Australia's Department of Foreign Affairs and Trade said ""The government condemns all violence in Papua, affecting civilians and authorities alike," and that they continue monitoring the situation but specify the report of alleged use of white phosphorus were not yet verified. [The Guardian] [The Saturday Paper]

Cambodia: Hun Sen's son tapped for powerful party committee

(jk) 41-year-old General Hun Manet who already holds high positions in defence and intelligence and allegedly already controls the armed forces, Hun Sen's bodyguard unit, the military police, the secret police and the anti-terrorist unit was voted last week into the Cambodian People's Party (CPP) permanent committee. The CPP's Permanent Committee comprises 37 members of the country's political elite and decides on the party's policies. This strengthens the claim of political observers that he could be Hun Sen's political successor. Hun Sen youngest son, Hun Many, is a parliamentarian who oversees the CPP's youth movement. [Strait Times]

Malaysia: Government files criminal charges against Goldman Sachs

(jk) Malaysia's Attorney General Tommy Thomas has said the country is seeking to receive several billion dollars as payment for the damages incurred from the banking investment firm and its role in the 1MDB scandal. Its role relates to arranging $6.5 billion in bonds in 2012 and 2013, and it is alleged that Goldman employees provided bribes and profited from the ensuing deals based on the illicit payments. [Channel News Asia] While the bank has reacted by saying the allegations were unfair, Tim Leissner, a former partner at the bank, pleaded guilty to U.S. charges related to

the case earlier this year. He now is the first banker to have received a lifelong ban from working in the financial sector in Singapore as a result of the 1MDB scandal. [finews] Further, the alleged crimes carry penalties of up to 10 years plus financial fines. [Observer]

Malaysia: Anwar Ibrahim's daughter resigns from posts at the People's Justice Party (PKR)

(jk) The People's Justice Party (PKR) is a key party of the Pakatan Harapan (PH) coalition that is currently ruling Malaysia. The party is led by Anwar Ibrahim who is at this stage the likely successor of PM Mahathir when he steps down. Anwar's daughter, Nurul Izzah Anwar, has resigned from the roles of PKR vice-president and Penang state chief, adding to internal struggles following party polls last month. She will continue to serve as an ordinary PKR member and member of parliament, but no longer serve the federal government in any capacity. While her resignation came as a shock to many, it is rumoured it followed allegations of nepotism and preferential treatment within the party. [Strait Times]

The move came just a few days after a series of defections and resignations from the opposition party, the United Malays National Organisation (Umno). Some politicians are now in the fire for being "party-hoppers" who have no integrity but change parties in accordance with who is in power. [Strait Times II] The bottom line is, the aftershocks of the surprising election win of PH are still felt throughout Malaysia's political system. For better or worse, *normality* has not yet returned.

Philippines: Official death toll in Philippine President Rodrigo Duterte's war on drugs exceeds 5,000. Unofficial numbers are more than double

(jk) According to official government figures, the war on drugs has between July 2016 and November 2018 cost the lives of 5,050 people. Independent watchdogs however, such as human rights watch claim the figures to are far from reality and the war on drugs has claimed more the 12000 lives already. [SCMP]

Philippines: Communist guerrillas abduct two soldiers

(jk) About 80 New People's Army (NPA) rebels who took the hostages in an attack on an army patrol base as well as seizing rifles and other equipment. The communist fight is one of Asia's longest running rebellions and has been going on mainly in the Philippines' countryside since the late 1960s. About 40,000 combatants and civilians are estimated to have died since then and today, there are up to 4,000 Marxist insurgents still fighting. President Duterte has had on and off peace talks with the rebels, but has shown little patience and views the rebels as not much more than thieves and bandits who steal, rather than fighters for a cause. [Washington Post]

Thailand could become the first Asian nation to ratify the International Labor Organization's Convention on Work in Fishing

(jk) Back in 2014, the US State Department's annual Trafficking in Persons (TIP) report downgraded Thailand to the lowest rank which could have led to a ban on Thai marine product imports to America. In 2015, the European Union issued a "yellow card" for its failure to prevent "Illegal, Unreported and Unregulated" (IUU) fishing, and abuses of labor rights aboard Thai fishing vessels. Thailand, one of the world's top fish exporters is saying it has been working on the issue and according to the foreign ministry, there is a timeline in place to ratify the International Labor Organization's Convention on Work in Fishing. Thailand would be the first Asian nation to do so. Although a long way from having a perfectly "clean" fishing industry, Thailand has been upgraded back to Tier 2 status in the 2018 TIP and due to the importance of the industry to many in Thailand, compliance and regulation in the fishing sector might well become a hotly discussed issue before the Feburary elections. [ATimes]

Thailand: International election observers?

(jk) The Nation newspaper says in an editorial that the ruling junta must allow international scrutiny of February's vote, to allow the new government to gain

legitimacy. Thailand has suffered reputational damage recently and letting in observers to prove a free and fair election would go a long way to improve the image. This is necessary in particular since the Election Commission (EC) is supposed to be an independent body responsible for ensuring a free and fair vote but instead there are credible reasons for believing that it is more an instrument designed to help the ruling powers to win the elections. [The Nation] The Thai government has previously said it would not need international observers and ban them altogether. [The Nation II]

Myanmar: Rohingya crisis

(cc) On December 18, Reuters released a new report "Erasing the Rohingyas" showing how Myanmar transformed the area in which Rohingya have fled from, making their repatriation in their area of origin unlikely. Currently over 900,000 Rohingya have found refuge in neighboring Bangladesh, 700,000 of them having fled last year the brutal crackdown conducted by the Tatmadaw in August 2017. While, following an agreement between the two countries, the repatriation process was supposed to start on November 15, the first batch of 2,200 Rohingya refused to return unless they are given citizenship and their original home. With the help of satellite images and government's maps, Reuters' report shows how burned houses are flatten by bulldozers then rebuilt to welcome Buddhist ethnic groups and Rohingya confined in Rohingya-only settlements in an attempt to segregate them from the rest of the population and establish a Buddhist majority in the region. [Reuters]

At the same time, a delegation of the Association of Southeast Asian Nations (ASEAN) and the government discussed the Term of Reference of their collaboration in the repatriation of Rohingya refugees on Tuesday. For deputy permanent secretary of the Foreign Affairs Ministry, U Aung Kyaw Zan "ASEAN can put in place the necessary mechanisms for repatriation" and the implementation of the repatriation process would be more efficient if the support of others. [The Myanmar Times]

However, cooperation with the ASEAN seems to be more a move to reduce international pressure on the government than a real guarantee of safe return for Rohingya refugees in Bangladesh.

On Thursday December 13, the U.S. House of Representatives almost unanimously voted for a resolution qualifying the Tatmadaw's campaign in

Rakhine state against the Rohingya minority a genocide and calling for the release of the two Reuters' journalists. [Reuters 2] While the measure is non-binding, it is highly symbolic and pushed the military's representatives in Myanmar's Parliament to accuse foreign powers of interferences in Myanmar's internal affairs and to urge the Parliament to respond to what they consider being propaganda. [The Irrawaddy 2]

Myanmar currently does not consider the Rohingya as being one of the 135 ethnic groups recognized as having Myanmar citizenship and thus renders them stateless. Rohingya who stayed in Myanmar now live segregated in settlements outside of their villages of origin. While approximately 15,000 of them fled to Bangladesh in 2018, the government is currently investigating 21 ethnic Kaman from Rakhine state who recently applied verification of national citizenship and whom the government accused of being in fact ethnic Rohingya. [The Irrawaddy] [The Myanmar Times 2]

While violations of the most basic human rights continue in Rakhine state, the UK drafted a UN Security Council Resolution aiming at setting up a timeline for the repatriation process and considering accountability but the strong opposition from China and Russia who boycotted the talks renders its adoption unlikely to happen. [Reuters 3]

Myanmar's military announced 4 months ceasefire in the northern area of the country

(cc) For the first time in 30 years the Tatmadaw unilaterally announced a four-months ceasefire in the North and East of the country. A statement from the office of the Commander in Chief said the Myanmar's military would cease their activities until April 30, 2019 the Northern Command in Kachin State; the Northeastern, Eastern and Central Eastern commands, and the Triangle Command in Shan State. This comes few days after the Northern Alliance expressed its desire to participate in the peace process. However, the announcement does not cover Rakhine State where clashes with the Arakan Army (AA) have recently intensified in the area and where over 700 people have been displaced by the conflicts since December 8 according to the U.N. Office for the Coordination of Humanitarian Affairs. [Reuters] [The Irrawaddy]

This week, local people reported the Tatmadaw used helicopter launched hellfire missiles and machine gun

attacks near a village, an allegation denied by the spokesman of the President's office. [The Irrawaddy 2]

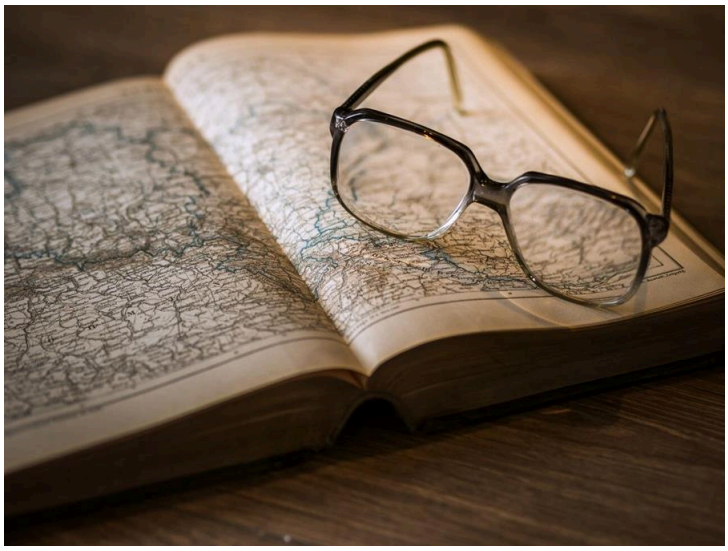
Myanmar: General Administration to be transferred to civilian power

(cc) On Friday, the government announced that the military-controlled General Administration Department (GAD) will soon be transferred to a civilian institution, the Ministry of the Office of the Union Government. The GAD is currently part of the Ministry of Home Affairs, one of the three ministries the Constitution places under the control of the military. This represents one of the most important reforms launched by the LND-led government. The GAD is a powerful institution that is present in more than 16,000 wards and village tracts and has often been criticized for centralizing to much the state bureaucracy and blocking reform. The move follows President U Win Myint pledge to prepare the country for a genuine federal system. [The Irrawaddy] [Frontier Myanmar]

Myanmar: Facebook removed hundreds of accounts linked to military

(cc) For the third time since August, Facebook removed hundred of accounts from its platform in its attempt to reduce its role in the spreading of hate speech in Myanmar. On Tuesday, the social media said it had taken down 25 pages, 17 groups and 135 accounts with links to Myanmar's military for "coordinated inauthentic behavior". Following the report of the UN fact-finding mission in August, which found that the crackdown against the Rohingya in Rakhine State is conducted with "genocidal intend", Facebook closed down dozens of accounts including the one of commander-in-chief Senior General Min Aung Hlaing. In October, the social network removed 13 pages and 10 accounts for the same reasons. [Reuters] [the Irrawaddy]

International Relations, Geopolitics and Security in Asia



China to become UN's No. 2 contributor

(dql) China will become the second largest contributor to the United Nations' regular budget starting next year, surpassing Japan. According to a resolution adopted by the UN General Assembly on Saturday, the Chinese contribution will increase from 7.921% for 2016 to 2018 to 12.005% for 2019 to 2021, while Japan's share will shrink to 8.564% from 9.68%. The U.S. remains at the top with the maximum possible contribution at 22%. [Nikkei Asian Review]

China-US-Canadian string of arrests worsen diplomatic tensions

(dql) Defying demands from Canada and the USA, China on Monday refused to release detained former Canadian diplomat Michael Kovrig and China-based Canadian businessman Michael Spavor whom Beijing accuses of engaging in activities endangering China's security. [Channel News Asia]

The arrest of the two Canadians on 10 December is seen by some as retaliatory move for the arrest in Vancouver of Chinese tech executive Sabrina Meng Wanzhou over allegations of violating American sanctions on Iran on 1 December on a US warrant. Meng has been released on bail pending the outcome of an extradition hearing and is currently living under electronic surveillance in a home she owns in Vancouver. [AiR 2/12/2018] [South China Morning Post]

Meanwhile, the U.S. Justice Department announced last Friday the arrest of a Chinese national over allegations of stealing trade secrets from a U.S.-based petroleum company of which he is an employee.

Hongjin Tan, an expert in battery systems and energy storage, is suspected to have downloaded hundreds of files related to the manufacture of a product worth more than 1 billion USD with the plan provide a company in China which had given a job offer with these information. [Reuters]

In a related development, the USA indicted two Chinese men for masterminding on behalf of the Chinese Ministry of State Security cyber espionage activities against scores of companies and government agencies in the US and around the world for more than a decade through a hacking group known as APT10 to steal trade secrets and technologies from at least 12 countries. [Wired]

While the Chinese government was quick to denounce the charges as based on “fabricated facts” and as attempt to damage a nation’s development, [Newsweek] it also submitted a draft of a new foreign investment law to the Standing Committee of the National People's Congress which would prohibit forced technology transfer from foreign firms to their Chinese partners. A move apparently aimed at appeasing Washington in the ongoing trade dispute between both countries, the bill is expected to pass a committee vote this week. [CNN]

China agrees to decrease or scrap tariffs in 2019

(dql) Following its announcement to slash tariffs on U.S.-built cars and auto parts from currently 40% to 15% two weeks ago, China on Monday announced that it will reduce or scrap tariff rates on about 700 products, beginning on 1 January. The move is an apparent attempt to demonstrate the country’s efforts to expand imports ahead of trade talks with the U.S. [Nikkei Asian Review]

China: Reducing gap with the US and Russia on military nuclear-power capabilities

(dql) Testifying advancement of its military modernization, China successfully tested the JL-3 solid-fuel, submarine-launched ballistic missile with the missile’s full range exceeding 9000 km, according to US intelligence sources. While this range is still less than the 12,000km (7,500-mile) range of the US Trident II and Russia’s Bulava submarine-launched ballistic

missiles, it would allow Chinese submarines to strike at continental U.S. targets from further away, reducing their vulnerability as they would need not to navigate into contested waters in the Western Pacific in a conflict. [The Diplomat] [South China Morning Post 1]

Meanwhile, China released footage of its latest drone bomber, the Wing Loong I-D, a type of combat and spy drone, capable of carrying more than 10 different types of weapons and flying up to 35 hours without refuelling. [Daily Mail]

For an overview of further Chinese military weapons and hardware whose constructions is expected to be completed in 2019 and 2020, including the Chinese Type 001A carrier, the country's first carrier to be domestically built and the Type 055, believed to be the world's second most powerful destroyer, after the US Navy's DDG-1000, see [South China Morning Post 2].

China-Pakistan relations: Deepening commitment to joint efforts for peace in Afghanistan

(dql) Against the background of US President Trump's announcement of his plan for a drawdown of close to 7,000 U.S. troops in Afghanistan, Chinese government's top diplomat State Councillor Wang Yi and Pakistani Foreign Minister Shah Mahmood Qureshi on Tuesday met in Beijing for in-depth talks about "new changes to the situation in Afghanistan and reached a broad consensus", agreeing that "military means cannot resolve the Afghanistan issue, and promoting political reconciliation is the only realistic way". Both sides also agreed "to take a joint course of action for regional peace and stability and to promote connectivity" and reaffirmed the important of the relations between their countries. While Qureshi hailed the 'All-Weather Strategic Cooperative Partnership' between Pakistan and China as "deeply rooted in mutual trust and respect", Yi confirmed that "China attaches paramount importance to its relations with Pakistan" [Reuters] [Tribune]

Meanwhile, New York Times reports on a confidential plan of the Pakistani Air Force and Chinese officials for joint military projects, including building of Chinese military jets, weaponry and other hardware in Pakistan, as part of the Belt and Road initiative under the guise of the China-Pakistan Economic Corridor project, contradicting China's claim that the BRI is of purely economic nature. [New York Times] The Chinese

government dismissed the New York Times report as untrue. [Financial Express]

Does Kenya Risk Losing its Port of Mombasa to China?

(hg) After Sri Lanka had to hand control of the newly-built port of Hambantota to a Chinese operator in December 2017 after the country failed to satisfy part of its significant debt to Chinese lenders for building the port, there is growing concern in Kenya it could be forced to transfer its own strategic seaport in capital Mombasa to China as well. [Maritime Executive]

Japan-Russia relations: US military presence in Japan makes peace treaty difficult, says Putin

(dql) The outlook for a peace treaty between Japan and Russia in the foreseeable future is bleak. In his annual press conference last week, Russian President Putin reiterated his concerns over Japan's plan to deploy a U.S. air defense system in Japan which he considers not as defensive weapons but as part of the U.S. strategic potential and which therefore would complicate the conclusion of a peace treaty between Russia and Japan. [Mainichi]

Putin's statement came after Prime Minister Abe's cabinet approved a record 47 billion USD defence budget for the next fiscal year with 1.58 billion USD allocated for the preparation of the planned deployment of a pair of Aegis Ashore, the U.S.-developed land-based missile interceptors in fiscal 2023. [National Post]

Moscow and Tokyo are locked up in a territorial dispute over a chain of islands, known as the Southern Kurils in Russia and the Northern Territories in Japan which has prevented the two nations from concluding a peace treaty since the end of WWII.

Japan-South Korea clash over Seoul's alleged directing of its fire-control radar onto a Japanese patrol plane

(dql) Japanese and South Korean Foreign Ministry officials met on Monday to talk about an incident last

week in which South Korean destroyer allegedly locked its fire-control radar onto a Japanese patrol plane. While Tokyo criticized Seoul for this “extremely dangerous” act, Seoul insisted that "there was no action that would have made Japan feel threatened." [Nikkei Asian Review]

The clash over the incident is the latest sign of deteriorating ties between the two countries following the recent ruling of South Korea’s Supreme Court ordering Japanese businesses to compensate Korean forced to work for them during WWII.

Taiwan-US relations upgraded: Asia Reassurance Initiative Act passes Congress

(dql) Taiwan Presidential Official express gratitude to the US Congress after it approved Asia Reassurance Initiative Act of 2018, which contains a section reaffirming U.S. commitment to Taiwan, including backing regular U.S. arms sales to Taiwan, and encouraging mutual visits by high-level officials between the two countries. [Taipei Times]

The Asia Reassurance Initiative Act follows the Taiwan Travel Act which was promulgated in March and which allows high-level officials of the United States to visit Taiwan and vice versa.

India’s renaming of three islands and its growing nationalist and strategic assertiveness

(hg) The Indian government of Prime Minister Modi is about to rename three islands of Andaman & Nicobar. All three Islands are supposed to be soon named ‘Netaji’ as a tribute to Subhas Chandra Bose. [India Today]

Bose (1897-1945) was a key Indian politician and independence fighter against British colonial rule who was bestowed with the honorific name Netaji which means "Respected Leader". Bose was the leader of the radical wing of the Indian National Congress and even Congress President at the beginning of the World War when he was ousted in 1939 as an opponent of Mahatma Gandhi. In 1941 Bose went to Nazi-Germany to seek Hitler’s support for the cause of India's independence. In Berlin he set up a Free India Centre,

a Free India Radio and the Indian Legion of about some thousand Indians who had been previously captured by Rommel's Africa Corps and which became eventually attached to the Waffen-SS. Back to Asia, Bose took leadership of the anti-British Indian National Army (INA), mainly composed of Indian soldiers of the British Indian army captured by the Japanese in the Battle of Singapore. In the context of the independence fight the Provisional Government of Free India was formed on the Japanese occupied Andaman and Nicobar Island which Bose also visited once.

Ideologically, Bose had sympathy for both Soviet Russia and Hitler's Germany as many other Asian leaders of these times such as Prime Minister Phibun of Thailand or Indonesia's Sukarno. Bose who tried to form a synthesis of both related ideologies, National Socialism and communism, was strongly influenced by Swami Vivekananda and most of all a militant patriot who also supported liberal ideas while regarding Hindu identity to be essential for a free India.

By renaming the islands India will join other maritime nations which renamed maritime territories in a bid to express their assertiveness concerning their respective claims for sovereignty or spheres of influence at sea.

For some time, the Andaman and Nicobar Islands were largely neglected in Delhi's strategic planning, when the country's navy focused on India's immediate coastline despite the fact that the Andaman and Nicobar Islands constituting just 0.2 per cent of India's landmass actually provide thirty per cent of its Exclusive Economic Zone.

With the Chinese strategic expansion in both the Indian backyard in South Asia in general and the Indian Ocean in particular, the Indian Ocean has reemerged as a critical theater for strategic competition. This is reflected for instance by the new Western Indo-Pacific concept, the first Chinese military base in Djibouti, the Chinese port activities in Myanmar, Pakistan, Sri Lanka, and the Maldives creating a "string of pearls" with a discrete 'dual use' potential to turn them in military facilities and the related increasing international interests in recent developments of domestic politics in the Maldives and Sri Lanka.

Against this background, the chain of the Andaman and Nicobar Islands in the Gulf of Bengal offers significant potential to influence maritime dynamics in the Indo-Pacific. After all, the islands, whose northernmost point is only 22 nautical miles away from Myanmar and their southernmost point around 90 nautical miles from Indonesia, dominate the Bay of

Bengal that more than sixty thousand commercial vessels traverse each year.

During the World War, the Japanese maximized the strategic location of the Andaman and Nicobar Islands with a stress on their offensive capabilities. Today, the group of 572 islands (thirty-seven of which are inhabited) which are located at the juncture of the Bay of Bengal and the Andaman Sea, offer a formidable platform of operations for India's Third Fleet and provide a great strategic value in terms of an increasing maritime domain awareness. Their potential to enable close surveillance over critical waters manifests for example in the ability to track Chinese submarines in the Indian Ocean by sonar surveillance systems or to detect Chinese vessels passing through the Malacca Strait upon their entry into the Indian Ocean.

In case Thailand would actually realize the century old plan to link the Andaman Sea with the South China Sea by building a canal through Thailand's thinnest point (Kra Canal), the Andaman and Nicobar Islands would be of even greater strategic value.

Moreover, the location also facilitates India's reach over to the Indonesian straits which already offer viable alternative transit routes between the Oceans.

In any way, the islands prove of significant strategic value for all maritime connections between South Asia and South-East Asia making them a vital component of India's sea control and sea denial strategy. In naval warfare strategy a weaker force – for example India with regard of China – shall focus its combat efforts in denying the adversary the use of the near-seas; a strategy greatly enabled by the Andaman and Nicobar Islands while the islands surveillance potential could also serve the offensive interests of India's strategic partner's more impressive navies.

Delhi's increasing interest in the Andaman and Nicobar Islands has first been reflected by the establishment of the country's only joint tri-service command there in 2001 and more recently by the appointment of the former chief of the Indian Navy, as the lieutenant governor of the islands in October 2017.

After India's maritime security strategy paper from January 2016 has emphasized the Islands strategic significance as a basis for Indian power projection into the Western Pacific and beyond, plans for a build-up of this platform in all possible directions are manifold. They range from enhancing the system of electronic sensors to enable the automatic identification of vessels and of long-range identification and tracking

systems that would give India real time data fusion capabilities to convert the Andaman and Nicobar Islands into an entrenched military base. The latter development would be accompanied by an overarching policy to increase the strength of the existing Eastern (Third) Fleet and to create another one in the Andaman and Nicobar Islands and a future re-orientation towards a three-fleet bluewater navy with the Andaman and Nicobar Islands as a probable location for the then Far Eastern Naval Command that would operate distinct from the two already existing commands. [War on the Rocks][Future Directions] [The Diplomat]

In this context, especially when keeping in mind the Andaman and Nicobar Islands' value as a cornerstone of the Indian Navy's strategy to achieve maritime predominance in the eastern Indian Ocean region, the renaming of the three islands might be regarded as a move that is supposed to convey an interesting symbolic message. It could be read as linking India's future looking greater regional assertiveness to historical cause of Indian independence with a stress on its Hindu notion and with it, implicitly, Prime Minister Modi's leadership in this endeavor.

Chabahar Port: India, Afghanistan, Iran one step further

(hg) Iranian, Indian and Afghan senior officials agreed at a meeting on the strategically-important Chabahar Port to finalize at the earliest, the protocol to harmonize transit, roads, customs, and consular matters.

In May 2016, the three neighboring countries signed a treaty which entailed the establishment of a Transit and Transport Corridor between them with the Chabahar Port in Iran's Sistan-Balochistan province as a supposed regional hub for sea transportation. The Indian developed Chabahar Port is a counter to its sister-port in Pakistan's province Balochistan, the Chinese developed Gwadar Port, which is instrumental to the Chinese-Pakistan-Economic Corridor and located in close distance to Chabahar.

Chabahar Port is considered a gateway to facilitate a similar connectivity project linking India, Iran and Afghanistan with Central Asia besides its effect on improving interregional trade among the partner countries. [NDTV]

India-Maldives relations: Establishing ties

(cc) After years of deteriorations of their bilateral relationship, India and the Maldives are now building close ties. Newly elected President Ibrahim Mohamed Solih concluded a state visit to India which was his first official state visit since taking office. This shortly followed Indian Prime Minister Narendra Modi visit to Maldives last month. Under the ruling of pro-Chinese President Abdulla Yameen, the Maldives have accumulated debts from the Belt and Road initiative and now owes between 1.3 and 3 billion USD to China. Chinese growing influence in the Indian Ocean, including in Maldives, is a concern for India which considers the Indian Ocean as its traditional sphere of influence. It is such not surprising that India Prime Minister Modi promised financial assistance of 1.4 billion USD to the Maldives and said the two countries will not allow their territory "to be used for activities which can be harmful to each other's interests." The two countries also signed agreements to cooperate on trade, health and defense. [Reuters] [Asian Review] [Asia Times]

Has India benefited from the US-Sino trade war?

(hg) After a year of increasing US-Sino trade war India might have benefited in certain respects as an differentiated piece by the news 18 is indicating. [news 18]

Pakistan: UAE provides 6 billion USD financial aid package

(dql) The Abu Dhabi Fund for Development (ADFD) announced that Pakistan will receive from the United Arab Emirates that it will deposit 3 billion USD into Pakistan's foreign currency account, in a move to assist Islamabad in overcoming the country's international payment crisis and to avoid a stringent International Monetary Fund (IMF) deal.

Besides the deposit, the UAE is also expected to sell on credit 3 billion USD worth of oil for three years. [Tribune]

Nepal: Foreign Minister's state visit to US

(cc) Nepal, an enclaved country of the Himalaya, finds itself in the middle of the US-China struggle for their spheres of influence. Last week Minister for Foreign Affairs Pradeep Gyawali embarked in a 4-days visit to the United States, the first of this level in 17 years. During his time in Washington he met with US State Secretary Mike Pompeo to dicsuss Nepal role's in the Indo-Pacific region.

While a statement from the US state department stated that Nepal plays a central role in the Indo-Pacific strategy, Nepali officials, including Pradeep Gyawali, refute any involvement of Nepal in the US Asian strategy. When denying the allegations, the Minister for Foreign Affairs said the US assumed that Nepal could play in their strategy due to its role in the South Asian Association for Regional Cooperation (SAARC) and in the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) but that Nepal is not included in the Strategy. Introduced by Secretary of State Mike Pompeo in July, Washington's Indo-Pacific Strategy seeks to counterbalance China's growing economic and political influence in the region. China has invested massively in Nepal during the past few years, notably through the Belt and Road initiative. [Kathmandupost 1] [Katmandupost 2] [Himalayantimes]

Indonesia's military inaugurates unit in the Natuna islands near the South China Sea

(jk) The Indonesian Armed Forces (TNI) commander inaugurated a military unit in the Natuna islands near the South China Sea. The unit will be stationed there to deal with threats such as illegal fishing and transnational crimes. Indonesia is not one of the five official claimant states (plus Taiwan) in the South China Sea, but an "interested party". Indonesian navy patrols have clashed with Chinese fishing boats in waters off Natuna in recent years though, often accusing Chinese of fishing in the country's Exclusive Economic Zone. [ABS-CBN]

Interestingly, the move come only a few weeks after United States Ambassador to Indonesia emphasized the importance of the U.S.-Indonesia Strategic Partnership for expanding ties during a trip to the Natuna Islands in early November 7 to 9. [US Embassy]

4th Mekong-Lancang Cooperation Foreign Ministers' Meeting concluded

(jk) In an unsurprising joint press communiqué, the six foreign ministers from China, Laos, Cambodia, Myanmar, Thailand and Vietnam that make up the Mekong-Lancang Cooperation (LMC) Foreign Ministers' Meeting reaffirmed that the LMC will be based on the principles of consensus, equality, mutual consultation and coordination, voluntarism, common contribution and shared benefits. [People's Daily]

The LMC Framework was established in 2015 to promote multifaceted cooperation at the sub-regional level among the six countries along the Lancang-Mekong River. For a closer look at some aspects of how China is exercising influence in the five countries, see [SEA Globe]. The author goes into some detail regarding cooperation in the LMC area and finds that China's control over Southeast Asia is no longer limited to building infrastructure. Along the Mekong, there are explicit political and strategic goals.

Indonesian Muslims protest against China's treatment of Uighurs

(jk) After a long period of silence, domestic political pressure on the Indonesian government to act on the mass internment and rights abuses of Uighurs in Xinjiang is growing. Over the past week, both the lead opposition party Gerindra and former head of Muhammadiyah, Indonesia's second largest Islamic organization [Anantara News], urged and pressured the government to speak out for the human rights of the Uighurs. The government has thus far emphasised non-interference but critical voices are growing louder as hundreds of Muslims held a rally outside the Chinese embassy in Jakarta. [RFA]

President Jokowi is trapped between domestic pressure on the one hand and Chinese pressures on the other. A clear condemnation of the treatment could jeopardise Chinese investment for his signature infrastructure initiatives, much of which has been promised but not yet received. At the same time Jokowi is keen to reduce possible tensions and Muslim anger at Indonesian citizens of Chinese heritage, which has played a huge role in Indonesian politics recently. Presidential candidate Prabowo could potentially use this issue and exploit divisive identity politics to get ahead in the presidential elections next year. Jokowi is

perceived to be weak on the issue and even his running mate's Nahdlatul Ulama (NU) council has remained silent on the issue so far.

So far, few leaders other than Malaysia's Anwar Ibrahim and PM Mahathir in Islamic countries have spoken out against mass internment in Xinjiang but Indonesia might become the first Muslim majority country where it becomes a big domestic political issue.

Laos – Russia military relations

(jk) After the Laotian Defense Minister, a Lieutenant General, told a Russian news outlet that the Lao People's Armed Forces (LPAF) would receive Russian-made weaponry and platforms, a first batch of upgraded main battle tanks from Russia has arrived. [Defence Blog] The Russian Armed Forces have also deployed a mine-sweeper team to Laos. The International Anti-Mine Center's team has been carrying out a humanitarian demining operation in Laos since October this year and clean up, according to a Russian newspaper, cluster munitions the US Air Force used in 1969-1974. [Tass]

Myanmar-South Korea relations:
Parliament approved 93,8 million USD loan from Korea

(cc) On Tuesday, the Parliament approved a 93.8-million USD loan from the Export-Import Bank of Korea with only nine votes against. The loan will finance a three years project aiming at constructing a centralized e-government data center. The government will add 10.5 million not covered by the Korean loan to pay the 104.8 million project of e-Government Integrated Data Center in Naypyitaw and a backup center in Thanlyin Township near Yangon which is expected to start in January under the direction of the Department of Information Technology and Cyber Security. [The Irrawaddy]

Background Reading

China’s emergence as a peacebuilding actor

(dql) In this thought-provoking article [Asia Dialogue], Pascal Abb introduces an approach to understand how China is poised to emerge as a major actor in peacebuilding in post-conflict societies in the wake of its deepening global engagement in the frame of the Belt and Road Initiative and other initiatives across the fields of peacekeeping, conflict mediation and infrastructure development.

We would greatly appreciate your feedback! Please send any feedback you have regarding this newsletter to: info@cpg-online.de

Also, don't forget to Like CPG on Facebook, and browse our *website* for other updates and news!

German-Southeast Asian Center of Excellence for Public Policy and Good Governance - CPG
Room 204, Faculty of Law, Thammasat University, 2 Prachan Road, Bangkok 10200, Thailand

Preferences | Unsubscribe