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Asia in Review

(4/1/2019)

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Dear Reader,

CPG is presenting you the fourth issue of Asia in Review (AiR) in January 2019 with an update on the latest developments in law, politics and international relations in Asia.

I hope you enjoy an informative reading!

With best regards,

Henning Glaser

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Law and Politics in East Asia

China: Country's highest court under investigation over missing legal documents

(dql) Following a nation-wide outcry over disappeared legal documents in a case of the Supreme People's Court, China's highest court, the Central Political and Legal Affairs Commission, which operates under the Communist Party's Central Committee, took the unprecedented move of establishing a top-level investigative unit to probe the country's highest court on the disappearance of legal documents, replacing the court's internal investigation in this matter. The documents, whose missing had initially been denied by the court, relate to a decade-old ownership dispute between a private company and a state-owned enterprise over a coal mine in northwest China's Shaanxi province, which is believed to have reserves worth 56.15 billion USD. [South China Morning Post]

Amid the ongoing investigation and signaling its political weight, President Xi Jinping stepped in and warned "against slack law enforcement, miscarriage of justice, breaking the law while enforcing the law and judicial corruption" at a high-level annual meeting on political and legal affairs last week which are normally

attended by the police, secret police, courts and prosecutors. [Xinhua]

Meanwhile, Zhao Zhengyong, former governor and then provincial party head of northwest province of Shaanxi until 2016, was arrested last week on suspicion of corruption, making him the highest ranking "tiger" caught so far in 2019 in the anti-corruption campaign. He is also accused of meddling in the above mentioned case. [Reuters]

China: Lowest number of births since 1961

(dql) According to official data of the National Bureau of Statistics, new births in China fell to 15.23 million in 2018 from 17.86 million in 2016 and 17.23 million in 2017, marking the lowest official birth rate in China since 1961, the last year of the country's great famine with millions starving to death. The latest numbers increase pressure to a shrinking labour pool and ageing population, causing a bleak outlook for China's economic future as the drop in new births in China is expected to continue. [South China Morning Post]

South Korea: Prosecution demands arrest of former Supreme Court Chief Justice

(dql) Following three interrogation rounds, South Korea's prosecution requested the arrest of Yang Sung-tae, the former Chief Justice of the Supreme Court, amid an investigation into abuse of judicial power by top court officials during Yang's leadership from 2011-2017. Yang is facing 40 counts of charges, including abuse of power and leaking state secrets. He is particularly suspected of having used politically sensitive trials as leverage to court the office of then President Park Geun-hye (2013-2017) to obtain her endorsement for the establishment of a separate court of appeals, his pet project. [Korea Times]

In case an arrest warrant is issued, Yang will be the first former or incumbent Supreme Court chief justice to be arrested in the 71-year history of South Korea's judiciary.

Japan: New law on the way to shield private user information from global tech giants' access

(dql) In a move to close a legal loophole, Japan is preparing a bill to reform its telecommunications law which expands communication privacy rules governing domestic companies to foreign businesses. Under the current law, tech titans such as Google, Apple, Facebook and Amazon.com are exempt from Japan's communication privacy provisions which ban domestic firms from viewing or leaking the content of emails and other communications without users' consent. [Japan Times]

Law and Politics in South Asia

India: The dates for the Lok Sabha elections are likely to be announced in the first week of March

(jk) India's Election Commission is currently deciding the number of phases and the months in which polling will be held. The Lok Sabha is India's parliament and its current term officially expires on June 3. Elections in India are usually held in phases, the last time, in 2014 for example, the EC had announced the election schedule in early March and decided to hold a nine-phase electoral exercise spread across April and May. [ZeeNews]

India is likely to surpass the United Kingdom in the world's largest economy rankings in 2019

(jk) PwC's Global Economy Watch report projects real GDP growth of 7.6% for India in 2019, with the UK only expected to grow at 1.6%. As per the world bank, India was the world's 6th largest economy in 2017, behind the US, China, Japan, Germany and the UK and it can be expected to overtake the UK in 2019. [LiveMint]

Wealth inequality in India

(jk) A study has revealed stark wealth inequality in India with top 1% owning 51% of national wealth, while the bottom 60% own just 4.8%. The Oxfam Inequality Report 2019, which attest to great wealth inequality around the world, states that in India, the 9 richest people own as much wealth as the bottom 50% of the country. [The Wire] Whilst Oxfam's findings are met by a lot of criticism each year, in particular with regards to definitions and methodology of the report, its findings are useful at least with regards to the trend that they show and the overall point of unequal distribution and development of wealth. [DW]

Pakistan decides to shelve major CPEC power project

(jk) Pakistan has asked China not to proceed with a US$2 billion coal power project as part of the China-Pakistan Economic Corridor (CPEC) infrastructure project, as it will be too expensive and is no immediate priority to the Pakistani government that is struggling to service its debt as previously reported. CPEC was launched a few years ago under Pakistan's former PM Sharif and is intended to connect China's Xinjiang region with the Gwadar port in Pakistan's Baluchistan. [Economic Times]

Pakistan to swear in new chief justice

(jk) Pakistan's current chief justice has had a turbulent time in office and under his lead, the Supreme Court has made critical decisions including the removal from office of former Prime Minister Nawaz Sharif in July 2017, a corruption probe into his assets that led to a seven-year jail term at the end of last year, and the overturning of a conviction of a Christian woman sentenced to death for blasphemy. His "activist" approach has led to some criticism that he has occasionally overstepped his role as a chief justice and

actively intervened in Pakistan's politics. His successor, Supreme Court Judge Asif Saeed Khosa, will hold office for 11 months and is expected to have a lower media profile than his predecessor. With over 40.000 cases backlogged in Pakistan's Supreme Court, he will certainly be busy. [Reuters]

Bangladesh: Transparency International found "irregularities" in general elections:

(cc) On Tuesday, Transparency International Bangladesh published a report finding "irregularities" in 47 of the 50 constituencies it scrutinized during the recent and contested general election which brought Hasina to her fourth term as Prime Minister. The anti-corruption group said the opposition was barred from effectively campaigning and that the Election Commission did not ensure a level-playing field for all parties. The government denied the allegation and accused the NGO of having lost its neutrality and called for an investigation to uncover any "secret link" between TIB and the main opposition party the Bangladesh Nationalist Party (BNP). [Reuters] [The Daily Star] The EC also rejected the report and maintains that "no irregularities were reported". [Dhaka Tribune]

On Thursday, the High Court rejected a writ petition seeking to revoke the oath taken by the newly-elected MP's and boycotted by the opposition on January 3rd. According to a Supreme Court lawyer, who filled the petition, the oath was taken in violation of article 123(3) of the Constitution as the mandate of the 10th Parliament did not expire yet. Justice Moyeenul Islam Chowdhury and Justice Md Ashraful Kamal justified their order saying the petition was not filled according to the procedure. [The Daily Star 2]

Bangladesh: Garment Workers' protest end amid suspension of over 1,000 workers

(cc) While on Monday January 14, thousands of garment workers were still protesting as they consider the pay hike decided by a tripartite commission insufficient, the situation seems to be calming down as on Wednesday most part of the workers returned to work. Nevertheless, the situation is far from being resolved as labor leaders claim that 1,411 workers

have been suspended since the beginning of the protest.

On January 6, workers from Bangladesh garment industry took the street demanding higher pay. For over a week, demonstrators blocked the street and vandalized vehicles and buildings and the police responded with teargas and water cannon, the violence left one person dead and injured many more. After the government announced it will raise the wages in the sector on Sunday 13, the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) warned the workers they will be suspended if they did not return to work. As the unrest continued on Monday and Tuesday, many workers were sacked and despite BGMEA's president guaranteeing that "no innocent worker will lose job" and that fired workers must receive service benefits, several workers told the Daily Star that they did not receive such benefits and the Sammilita Garment Sramik Federation, a rights group for workers said it fears that many innocents might be part of the sacked workers. Moreover, on Tuesday Union leaders said that longstanding workers were downgraded to curtail the cost of the recent pay rise. [Daily Star 1] [Daily Star 2] [Reuters] [Dhaka Tribune]

Law and Politics in Southeast Asia

Philippines: Bangsamoro plebiscite in Mindanao – a chance for peace and progress?

(ls) Citizens in the southern Philippines voted on Monday on a proposal to give the region greater

autonomy. More than 2.8 million residents of the Autonomous Region of Muslim Mindanao were called to vote on a law creating an expanded region called Bangsamoro, which provides more funding, a bigger revenue share and full control of its resources.

Specifically, the people will be voting for or against the approval of the Bangsamoro Organic Law (BOL) which creates the BARMM. President Rodrigo Duterte signed the law last July 2018, but only the Bangsamoro people can ratify the law through their votes. Another round of voting will be held on 6 February. President Rodrigo Duterte has campaigned for the bill, saying it will help him deliver on his election pledge to bring peace and wealth in the southern Mindanao island. [Bloomberg] [Rappler]

The Bangsamoro Autonomous Region in Muslim Mindanao, or BARMM, is envisioned to replace the Autonomous Region in Muslim Mindanao (ARMM), which former president Benigno Aquino III himself called a "failed experiment." The ARMM is the poorest region in Mindanao where over half of its population, 59%, lived below the poverty threshold as of 2015. A good analysis of the ARMM's shortcomings and likely improvements by the BARMM is provided by [Rappler].

Nonetheless, extremist groups like ISIS and its affiliates continue to target the Filipino Muslim youth's compounded frustration, which has been worsened by the historical grievances and poor governance that the Moros have gone through as a people. Recruitment methods exploit emotional facets that young Moros can relate to, like conflicts in other Muslim nations around the world. The perception that "Islam is under attack" was cited as a significant factor in supporting violence, including the Marawi siege in May 2017. Rappler has published an interesting background piece on the tensions in the Philippines's south. [Rappler 2]

Thailand: Election date likely to be either 10 or 24 March as public urge for timely election grows

(ls) Thailand's Election Commission (EC) has proposed to set 10 March as the new election date. However, the government prefers 24 March instead. Though the EC is authorized by law to set the poll date, the government is responsible for announcing the election and submitting the announcement for royal endorsement. If the poll is held on 24 March, the EC will have 47 days (instead of 60) to endorse at least 95% of the poll results, reducing the time that the EC

has to investigate election law violation cases. [Bangkok Post 1]

Rival groups held demonstrations in Bangkok on Saturday, with hundreds demanding quick elections to end military rule and a smaller group saying it was too soon for a vote. The "People Who Want Elections" group organized a rally at Thammasat University's Tha Phra Chan campus. [Bangkok Post 2] [Reuters]

The South China Morning Post has consulted leading experts on Thai politics, including CPG Senior Research Fellow Paul Chambers, for a piece on Pheu Thai's chances in the election and the role of the Shinawatra family. Besides analyzing the party's strategy, it holds that, with the new constitutional rules, the party is unlikely to capture a majority of the 500 lower house seats, though it may get a significant share of the popular vote. Such result would render it powerless to nominate a prime minister, as the new rules stipulate that the fully appointed senate will have a vote in the decision. [South China Morning Post]

Thailand: Two Buddhist monks shot dead in the deep south

(ls) On Friday, gunmen shot dead two Buddhist monks and injured two others in an attack at a temple in Narathiwat province in Thailand's mainly Muslim south. It was the first such killing of a Buddhist monk in the restive region in more than three years. A separatist insurgency has dragged on for more than fifteen years. More than 6,900 people have been killed and 13,000 injured in the area since 2004 when violence intensified. Analysts said the latest incident showed that the insurgent group Barisan Revolusi Nasional (BRN) retained significant military capacity despite government efforts. [Reuters]

Thailand: Rahaf Mohammed case puts refugee policy in spotlight

(ls) Thailand's newly appointed head of immigration, Surachate Hakparn has promised a reversal of the country's harsh treatment of refugees following the globally reported case of Rahaf Mohammed's, a young Saudi woman who renounced Islam, attempted to seek asylum and has eventually been accepted by Canada. Thailand, which is not a signatory to the UN convention on refugees, has frequently refused to recognize and shelter asylum seekers and returned them to their

countries of origin. Despite Surachate's remarks, the case of a Bahraini refugee with permanent residency and refugee status in Australia, who was taken into detention when he arrived in Bangkok for a holiday and faces deportation back to Bahrain, may indicate that the swift action in Rahaf Mohammed's case was due to international pressure. [The Guardian]

In relation to the Rahaf Mohammed case, it became also a question how Indonesia and Malaysia handle the matter of Muslims leaving their faith. In Malaysia, besides the threat of prison, apostates face re-education in rehabilitation camps or whipping by state religious authorities. In Indonesia, there are no direct legal consequences for leaving one's faith and no explicit prohibitions against atheism. However, all Indonesians are required to list one of the seven state-sanctioned religious categories on their national identity card. Moreover, non-believers are frequently being charged with blasphemy, especially following a 2010 Constitutional Court ruling upholding Indonesia's blasphemy law. [South China Morning Post]

Thailand's Supreme Court ruled in favor of migrant workers in landmark case

(cc) In a landmark case on Tuesday, the Supreme Court of Thailand ruled in favor of 14 Myanmar national migrant workers. The case goes back to 2016 when the migrant workers complained to the National Human Rights Commission of Thailand of forced labor in a chicken farm. According to the plaintiff, they were forced to work unpaid overtime, were paid less than the legal minimum wage and had their passports confiscated. Their employer denied the charges and launched a lawsuit in defamation against them. The charges in the criminal defamation case were dismissed in July 2018 by a Court in Bangkok, and after a 3 years legal battle the Supreme Court ruled in their favor, ordering 53,000 USD to be paid to the workers in compensation.

Thailand has often been criticized for its treatment of migrant workers, especially in the fishing industry and this case brings hope for better protection of the millions of migrant workers currently living in the country. [The Irrawaddy] [Reuters]

Indonesia: First presidential debate 3 months ahead of crucial elections

(cc) Three months ahead of a major general election, Indonesia's Presidential candidates Joko Widodo and Prabowo Subianto faced each other in the first debate on Thursday. In 2014, Widodo won with a small margin against Prabowo, and became the first Indonesian President having no link with the military or the political elite. While the opinion polls currently give the incumbent a large lead over his rival, the gap is expected to narrow as 25% of the voters are still undecided. The debate focused on law enforcement, corruption and terrorism.

On the question on how to fight corruption Joko Widodo, most commonly known as Jokowi, said he would put the focus on strengthening supervision and transparency in the recruitment process, while Prabowo wants to increase the wage of civil servants to resolve "the root of the problem". Jokowi also directly attacked Prabowo on corruption citing a report by Indonesia Corruption Watch according to which the Gerinda Party had nominated at least six former graft convicts as candidates in the legislative election. While the relative silence of Jokowi running mate, Ma'ruf Amin, a 75-year old Muslim cleric, has been mocked on social media, his "I have nothing to add" when asked if he wanted to add anything to the President's statement on Law enforcement and Human Rights seemed to be considered as "one of the most memorable moments from the debate" and to have raised his popularity among the millennials. [The Jakarta Post] Another key moment of the debate concerns gender equality as Prabowo stated that "Gender should not be the main concern" as for him female ministers under Jokowi's administration have issued harmful policies. [The Jakarta Post 2]

Widodo considers that his team "offers optimism" in contrast to Prabowo who painted a dark future for Indonesia if he is not elected in April during a speech on Monday. [The Jakarta Globe] Prabowo mainly attacked Widodo on the economy. Regarding Human Rights, for the activist Andreas Harsono none of the team offered a comprehensive response. [Reuters]

Thursday's debate was the first of the five debates to be held before the April 17 elections and received various criticisms as the candidates received a list of questions beforehand. Consequently, the General Elections Commission (KPU) decided to not provide "cheat sheets" for the next debates. [The Jakarta Post 3]

The next debate will be held on February 17 and will focus on energy, food, natural resources, environment and infrastructure.

Alleged Bali bombing mastermind to be granted early release on humanitarian grounds

(cc) On Friday, President Widodo announced that Abu Bakar Bashir, the alleged mastermind of the 2002 Bali Bombing, will be granted early release from prison on humanitarian grounds.

Sentenced in 2010 to 15 years in jail under the anti-terrorism law for links with the Bali Bombing which killed more than 200 people, Bashir (81 years old) is viewed as the spiritual leader of the radical Islamist group Jemaah Islamiah. Often criticized for allegedly criminalizing clerics, Joko Widodo is seeking a second mandate in the upcoming elections and a legal adviser in his campaign was quoted as saying that "This shows to the public that it is not correct that Jokowi persecutes or criminalises clerics,". Bashir's lawyers said the decision was solely made on humanitarian basis, that it was provided for in Indonesian Law and that it was not in any case of "gift" from the President. The announcement provoked objections from survivors and families of the victims. [Reuters] [Al Jazeera] [Jakarta Post]

Indonesia: Human rights groups call for immediate and unconditional release of KNPB activists

(cc) On Tuesday, Amnesty International and Yayasan Pusaka have urged the Papua Police "to drop the "rebellion (makar)" charges under Article 106 of Indonesia's Criminal Code against three Papuan political activists and immediately and unconditionally release them." [Amnesty International] The Human rights groups qualified the three activists of "prisoners of conscience". Yanto Awerkion, Sem Asso and Edo Dogopia, were charged with Rebellion on January 8, a week after the takeover by the Indonesian Military of the West Papua National Committee (KNPB) headquarters in Timika which is since used as a TNI-police post. For KNPB spokesperson Ones Suhuniap the sole purpose of the charge is to justify the police's seizure of their headquarters. [The Jakarta Post]

Malaysia: Federal government sues Kelantan state on behalf of indigenous

people

(ls) In an unprecedented move, the Malaysian federal government has filed a suit against the local government of Kelantan in the high court of Kota Bharuthat for failing to uphold the land rights of indigenous people. According to the suit, logging companies, which have cleared vast forest areas in Kelantan for plantations, had deprived the Temiar Orang Asli of their ancestral land and resources, and state authorities neither consulted the community before granting the licenses nor offered them compensation. Malaysia has adopted the United Nations' declaration on the rights of indigenous people, which advocates free, prior and informed consent of communities that might be affected by commercial projects. [Reuters]

Singapore: PAP defections ahead of possible early election

(ls) Tan Cheng Bock, a former member of Singapore's People's Action Party (PAP), announced he was forming the "Progress Singapore Party" together with former party colleagues, raising the prospect of a splintering of the party for the first time in decades. Tan split from the PAP in 2011 after he decided to run as president and failed. As a lawmaker, he was viewed as a firebrand who often defied the party line. The PAP's last split was in the early 1960s when it was the ruling party of semi-independent Singapore. Leftists in the PAP at that time formed the Barisan Sosialis which was later defunct as its main leaders were detained for supposed communist links.

According to recent rumours, Prime Minister Lee Hsien Loong might call snap elections this year, well ahead of a January 2021 deadline. [South China Morning Post]

Myanmar: Peace is nowhere in sight in Rakhine State

(cc) On Saturday, the government announced a crackdown against the Arakan Army (AA) amid an intensification of clashes between the Tatmadaw and the Ethnic Armed Organization (EAO). While in December, the Tatmadaw announced a unilateral ceasefire it does not cover Rakhine State where the conflict with the AA escalated following an attack against a border police guard earlier this month that left 13 security personnel dead. [Myanmar Times] On

Wednesday the Myanmar Army attacked a temporary outpost of the AA, killing at least five soldiers of the EAO. [Myanmar Times 2]

At the same time, dozens of village administrators from Rakhine State resigned this week as they fear being accused of association with the AA. Indeed, U Aye Maung, a prominent Arakanese politician recently saw his appeal against charges of high treason for having supported the EAO rejected by Rakhine State High Court and as part of the crackdown announced by the government more and more people seemed to be arrested on the basis of suspicion of having ties with the AA. [The Irrawaddy] [The Irrawaddy 2]

Since the beginning of the year approximately 5,000 people have been displaced by the conflict in the region and a notice issued by the Rakhine State's government prohibits NGOs and UN agencies from accessing 5 townships affected by the conflict, pushing the UN to urge the national government to allow "rapid and unimpeded" humanitarian access as only the International Committee of the Red Cross and the UN World Food Programme are for now allowed to access some part of the State. [Reuters] In addition, the special rapporteur on the situation of human rights in Myanmar Yanghee Lee, currently visiting Bangladesh and Thailand, is still banned from entering the country. [The Myanmar Times 3]

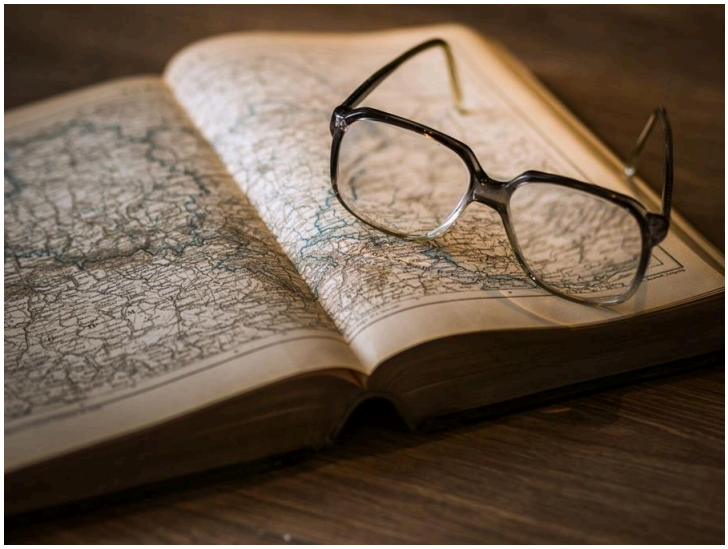
Moreover, the AA is not the only EAO active in Rakhine State and the Arakan Rohingya Salvation Army (ARSA) recently launched an attack against a convoy of the security forces in the northern part of the State, injuring 6 police officers according to state media. The ARSA is considered by the Government as a terrorist organization and in 2017, an attack on security outpost by the ARSA was followed by security clearance operations that have been later qualified as being conducted with "genocidal intent" in a UN report, and have led over 700,000 Rohingya to flee to neighboring Bangladesh. [The Irrawaddy 3]

In an interview to the Irrawaddy Tun Myat Naing, military chief of the AA, answered that "Peace is nowhere in sight considering the current situation" when asked if "given the latest developments, can 2019 be a year of peace?". [The Irrawaddy 4]

Elsewhere in the country, despite the unilateral ceasefire announced by the Tatmadaw and while the government recently held informal peace talks with several EAOS in Chiang Mai, Thailand, the peace process is still moribund. First, the Karen National Union (KNU), one of the major ethnic groups having signed the Nationwide Ceasefire Agreement, has not

yet resumed its participation to the formal peace process which they suspended since November. [The Irrawaddy 5] Moreover, according to the political framework, Union Peace Conferences (UPC), most commonly known as "21st century Panglong conference", have to be held every 6 months but the last one took place in July 2018 and a date is still to be announced for the fourth UPC since 2016.

International Relations, Geopolitics and Security in Asia



China-USA relations: Washington not ruling out sending US aircraft carrier through Taiwan Strait

(dql) Admiral John Richardson, chief of U.S. naval operations, stated that the U.S. Navy has not ruled out sending an aircraft carrier through the Taiwan Strait, despite military technology advances by China that pose a greater threat to U.S. warships than ever before. Richardson's statement, made to reporters during his visit in Japan last week, comes after Beijing asserted that it would not tolerate "outside interference" in Taiwan affairs during Richardson's visit to Beijing before travelling to Japan, as well as after the Pentagon released a report expressing US concerns about China's growing military might and voicing worries about a possible attack against Taiwan. [The Hill] [New York Post]

While Washington sent ships through the strategic waterway three times last year, a carrier dispatched to

this area would be the first in ten years. [Reuters]

Meanwhile, Taiwan held live-fire exercises last week involving artillery and assault helicopters as well as Mirage fighter jets. [Sydney Morning Herald]

China-Canada relations: Canadian ambassador to the US expects Washington's extradition request for Huawei chief financial officer to come soon

(dql) In the latest development of the ongoing dispute over 'hostage politics' between China and Canada, Canadian ambassador to the US David MacNaughton confirmed that he was informed that Washington will proceed a formal extradition request for Meng Wanzhou, chief financial officer of Chinese tech giant Huawei and daughter of the company's founder, who was arrested in December over alleged violations of US sanctions on Iran and currently restricted to staying in Vancouver while awaiting further court hearings. [Bloomberg]

Following Meng's arrest, China arrested two Canadians and imposed a death penalty on a third Canadian convicted of drugs smuggling charges. [AiR 3/1/2019]

Meanwhile, Chinese Ambassador Lu Shaye to Canada reiterated Bejing's condemnation of Meng's arrest and warned of repercussions if Canada bars the Huawei from its new 5G network, a move New Zealand and Australia had taken in 2018. [South China Morning Post]

China-Pakistan relations to deepened in 2019

(dql) Signaling deepening relations between China and Pakistan, Minister for Planning and Development Makhdum Khusro Bakhtyar and Chinese Ambassador to Pakistan Yao Jing agreed at a meeting last week to deepen bilateral cooperation and make 2019 the 'year of industrial, socio-economic and agriculture cooperation' as Beijing vowed to despatch a series of business delegations in the months ahead to push at least four special industrial zones during the year. Both sides also agreed "to work for speedy implementation of initiatives in already identified six areas including agriculture, education, medical treatment, poverty

alleviation, water supply and vocational training projects." [Dawn]

China-Germany cooperation in financial sector widened

(dql) Germany and China concluded during a two-day visit by German Finance Minister Olaf Scholz in Beijing a series of agreements aimed at boosting cooperation in banking and financial sector supervision. The move comes as Germany strives to position itself as EU's finance powerhouse and hub for Chinese and renminbi-denominated financial products in Europe ahead of the Brexit and as China moves to fulfill it pledges to open up the country's financial markets. [Investment Europe][Reuters]

Japan-Russia divide over disputed territories to widen

(dql) Ahead of the much-anticipated meeting between Japanese Prime Minister Abe and Russian President Putin this week to discuss a possible resolution of the thorny issue of disputed islands, known as the Southern Kurils in Russia and the Northern Territories in Japan and claimed by both countries, hundreds of Russians protested against a feared giveaway of strategic islands to Japan on Sunday. The protest was organized by nationalist politicians who reject any move to concede any of the islands and group of islets. [Japan Times]

Prior to the protest and following inconclusive talks with his Japanese counterpart Taro Kono last week, Russian Foreign Minister Sergei Lavrov reiterated Moscow's demand that Tokyo first recognizes Russia's sovereignty over the four disputed islands before any deal, setting the confrontational course for the meeting between Abe and Putin. [Bloomberg]

Japan-South Korea relations further deteriorating over radar incident

(dql) Signaling a new height of tensions between Japan and South Korea over Tokyo's claim that a South Korean warship had locked fire-control radar on a Japanese Maritime Self Defense Force patrol aircraft which flew over a South Korean military vessel last

December [AiR 2/1/2019], the Japanese Defense Ministry announced the termination of working-level talks with South Korea as it concluded that it is "difficult to continue to hold consultations with the ROK regarding this matter". Prior to the announcement, Tokyo release new footage to again back its above mentioned claim which Seoul again rejected arguing that the new material failed to “offer accurate evidence”. [UPI]

India seeking to improve infrastructure close to its border with China to ensure possibility of quick mobilisation of troops

(jk) India wants to spend US$2.9 billion on 44 roads close to its border with China in the northeastern states of the country. The action plan is discussed not least due to the tensions during the Doklam stand-off in 2017, when a confrontation broke out over Chinese road construction in a critical zone at the China-India border. The plan has been submitted to the Cabinet Committee on Security, headed by Prime Minister Narendra Modi and is awaiting approval. [ZeeNews]

Another recent sign of some concern with regards to the border area and China, the North West frontier of the Indo-Tibetan Border Police (ITBP), which is guarding the Sino-India border in peace times, was ordered to move a strategic ITBP command from its current base by over 960 km to the border of Leh in Jammu and Kashmir. Leh is also the base for an army corps and the move is intended to improve cooperation between the two forces. [ZeeNews 1]

Sri Lanka considering a US$ 300 million-US$1 billion loan package from China

(jk) In a recent interview with [Reuters], Sri Lanka’s junior finance minister noted that Colombo is considering a $300 million-$1 billion loan package from China. Whilst this may sound surprising in the light of the experiences with Chinese debt under the presidency of Mahinda Rajapaksa, the country seems to have little choice under the current pressures to service its debt. According to the interview, Sri Lanka struggles to secure financial means from the international market as conditions are tight and ratings have been downgraded after the recent political crisis all but destroyed investor’s confidence.

Sri Lanka is at the same time in discussions with India over financial assistance to avoid a balance of payment crisis. The Reserve Bank of India agreed earlier this month to provide US$400 million under a currency swap deal to the Central Bank of Sri Lanka, an amount that according to current negotiations could be lifted to US$1 billion.

The International Monetary Fund (IMF) in the meantime froze the final payment of a $1.5 billion bailout implemented in 2016. Nonetheless, the IMF agreed to review the suspended program last week and an IMF team is scheduled to visit Colombo in February [Nikkei Asian Review]

China has in the meantime completed a huge land reclamation project in Sri Lanka, the Colombo Port City project, which had raised concerns about Sri Lanka becoming a strategic location for Chinese influence and investment when it was agreed upon under former PM Rajapaksa. [Strait Times]

New waves of arrivals of Rohingyas to Bangladesh

(cc) Fearing deportation to Myanmar, over 1,300 Rohingya have fled from India to Bangladesh since January 1st. India is not part to the 1951 Refugee Convention and the Hindu Nationalist government considers Rohingya ethnic people as being a security risk. Earlier this month, a family of five was sent back to Myanmar despite the United Nations' findings that conditions in Rakhine states are not conducive for safe return. India has been widely criticized for its treatment of the persecuted minority as the UN and rights group accused the government of violating International law and more especially the principle of "non-refoulement". [Reuters] [Al Jazeera]

Similarly, according to the rights group "Free Rohingya Coalition", Saudi Arabia is about to deport another batch of 250 Rohingya ethnic men to Bangladesh. As Myanmar's 1982 citizenship law does not recognize the Rohingya as one of the 135 national ethnic groups the Muslim minority is considered as stateless and many entered the Kingdom with false passports from Pakistan, India, Bangladesh and Nepal. While prior to 2011, Saudi Arabia was issuing residency permits to Rohingyas, most those who arrived after were treated as criminals and held in a detention center in Jeddah. [Al Jazeera 2]

According to Bangladeshi authorities, over a million Rohingyas are already living in the country, most part

in Cox's bazar which is now the largest refugee settlement in the world. While a Memorandum of Understanding (MoU) was signed between Myanmar and Bangladesh in November 2017, the first attempt of repatriation in November 2018 failed as the first batch of refugee refused to go back to Rakhine state as the feared for the life.

ASEAN Foreign Ministers' retreat: Little progress over South China Sea as Vietnam, Philippines press for solution

(ls) A two-day ASEAN Foreign Ministers' Retreat in Chiang Mai was the regional group's first meeting since Thailand took over its annual chairmanship. Regarding such divisive issues as Myanmar's Rohingya crisis, which has become a regional problem due to the numbers of refugees it caused, and China's territorial claims in the South China Sea, the ministers followed the group's practice of reaching the least provocative consensus possible. They emphasized the humanitarian role ASEAN members could play in Myanmar's Rakhine State and claimed progress on concluding a Code of Conduct in the South China Sea. According to the meeting statement, the countries "took note of some concerns on the land reclamations and activities in the area." [Washington Post]

Ahead of the Retreat, Vietnam expressed frustration at the slow pace of negotiations towards agreeing a code of conduct for the South China Sea. Foreign minister Pham Bình Minh said that Hanoi was trying to maintain a balance between the United States and China at a time of growing rivalry between the two powers. However, the process so far – in August China and ASEAN agreed on a single draft negotiating text, with the hope to wrap up talks by 2021 – had been "slower than expected". [South China Morning Post 1]

Meanwhile, the Philippines' Defence Secretary Delfin Lorenzana vowed to review its defence agreement with the United States to clarify when Washington would come to its aid, referring to the tensions in the South China Sea as the Philippines' "most difficult" security challenge. One of the areas Lorenzana wanted clarified was what would trigger mutual responses of aid. For instance, he asked whether the Philippines had to get involved if a shooting war broke out between China and the US "somewhere there in Mischief Reef". [South China Morning Post 2]

Malaysia-Singapore relations in times of air and maritime disputes

(ls) Singapore and Malaysia are currently locked in two separate disputes over territorial waters off Tuas, and airspace management over southern Johor. The dispute over maritime boundaries started after Kuala Lumpur, in October, unilaterally extended the Johor Baru port limits into Singapore's territorial waters off Tuas. Regarding airspace, Malaysia objected to the implementation of new landing procedures for Singapore's Seletar Airport. Nonetheless, as negotiations are ongoing, Malaysian Foreign Minister Saifuddin Abdullah said that ties between the two countries are still "good". The countries' foreign ministers most recently met at the ASEAN retreat in Chiang Mai on Thursday and Friday. [Straits Times 1] [Straits Times 2]

Malaysia bans Israelis from participating in events

(ls) The Malaysian government said it would refrain from hosting events featuring Israeli participants. Previously, it banned Israeli athletes from an upcoming Paralympics swimming qualifier. Foreign Minister Saifuddin Abdullah, said the decision was premised upon "humanitarian reasons" and was about "fighting on behalf of the oppressed". As a staunch supporter of a two-state solution to the Palestine-Israel question, Malaysia does not have formal diplomatic ties with Israel, and its citizens are barred from entering the country without special permission. [South China Morning Post]

Background Reading

Post-election prospects in Thailand

(ls) Thammasat's Assistant Professor Prajak Kongkirati writes about the prospects of post-election politics in Thailand, supporting his analysis with evidence from similar scenarios in the past. He holds that, under the "Thailand model", elections are only the beginning of a new round of struggles to set the terms of a political order that has yet to settle. According to his analysis, it will be difficult for the current military government to establish a robust authoritarian regime, but nor will Thailand transition to a stable, democratic system. [New Mandala]

Revolution in Military Affairs and India's Defense Preparedness

(jk) With a focus on India, Happymon Jacob and Dr Vipin Narang speak about China's growing military capabilities and India's defense preparedness. They further discuss tactical nuclear weapon systems, missile defense capabilities and ask how India's strategic doctrine and practices could adapt in order to maintain deterrence capability in what Vipin calls the "third nuclear age?" [Video: The Wire]

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