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Asia in Review

(4/3/2019)

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Dear Reader,

The AiR team is presenting you the fourth issue of Asia in Review (AiR) in March 2019 providing you 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: Cadres told to show initiative if they want promotion

(dql) Xinhua news reported last week that the Central Committee of the Chinese Communist Party released a new set of rules for the promotion of cadres. While political integrity and loyalty of candidates remain main requirement as before, the new regulations stress that those cadres showing initiative in making and acting on decisions would be favored. [Xinhua 1] [Xinhua 2, for the regulations in Chinese]

The move is seen by analysts as addressing the general problem of party discipline and performance. To pro-actively speak up against insufficiently loyal, under-performing or inactive civil servants is now an asset for future promotion. [South China Morning Post]

Japan: Huge gender gap in legislative assemblies

(dql) Ahead of the local assembly elections in April, Japan Broadcasting Corporation (NHK), Japan's national public broadcasting organization, released findings of a national survey according to which 340 out of 1788

local assemblies (19%) across the country have no female members, reflecting a huge gender gap. [NHK]

The April elections are the Japan's first nationwide elections to be held under legislation of last year calling on political parties to field equal numbers of male and female candidates in national and local elections. Media reports, however, show that women still account for only 10 to 20 percent of prospective candidates in prefectural and assembly races. [Japan Times]

Japan, the world's third largest economy, ranks 110th in the World Economic Forum's 2018 Global Gender Gap index of 149 nations. [Straits Times] [World Economic Forum]

South Korea: Ruling and opposition parties clash over Cabinet nominees

(dql) Ruling and opposition parties are expected to clash this week over parliamentary confirmation hearings of seven minister nominees which started on Monday with the confirmation hearing for the post of the Minister for Land, Infrastructure and Transport in which the main opposition Liberal Korea Party (LKP) accuses the nominee of real estate speculation earning him more than 2 million USD.

It is expected that the opposition will intensify its critics of the nominees in the subsequent conformation hearings as it believes that President Moon's nominations have been rather motivated by next year's general elections than by any concern with efficient management of state. Four out of the seven ministers slated to be replaced are incumbent lawmakers likely to run in the general elections next year. [Korea Herald]

Taiwan: Bill for referendum on cross-strait agreements being finalized

(dql) A bill that would set high legislative thresholds for the passage of any potential political agreement with China and subject such a deal to a national referendum is expected to be approved by the Cabinet on Thursday and given priority in the Legislature's current session. The decision was made during consultations on Monday between the executive and legislative branches on the legislation and Democratic Progressive Party (DPP).

The Cabinet's push for a passage of the bill early this session is a response to an announcement of the Chairman of the Kuomintang (KMT) in February on a possible peace treaty with Beijing in case the KMT wins the presidential election in January 2020.

Among other provisions, the legislation, which would amend the Act Governing Relations between the People of the Taiwan Area and the Mainland Area, calls for a national referendum prior to the conclusion of any Cross-Strait political agreement. [Focus Taiwan]

Law and Politics in South Asia

India's general election: Congress Party pledges income for 50 million families

(dql) Less than three weeks until the start of the general election in India, opposition leader Rahul Gandhi on Monday vowed to launch a minimum income scheme guaranteeing 50 million families a basic income of 1,000 USD a year if his Congress Party wins the election. [Channel News Asia]

Pakistan: Killing of college professor brings vigilante justice in blasphemy cases into the spotlight again

(ls) A student stabbed a college professor to death on Wednesday in Bahawalpur in eastern Pakistan on Wednesday, apparently because he felt that a planned party that women were going to be involved with

would be un-Islamic. The college is one of few institutions in Pakistan with a majority female student population, with 4,000 women attending alongside 2,000 male students. [Reuters]

The case brings into the spotlight the country's blasphemy laws as the suspect called the event "un-Islamic" and in a confession said he "took the law into his own hands as the government was not implementing blasphemy laws and was freeing blasphemers." While the state has not yet punished anyone with the death penalty in blasphemy-related cases, mere accusations have resulted in mob violence and lynching of alleged blasphemers in the past. Last year, a student had gunned down his college principal on campus after accusing him of blasphemy in Charsadda city. In April 2017, a student was beaten to death by his fellow students over charges of blasphemy that were later proven false. [Times of India]

Earlier this month, a women's march was condemned by the country's religious right and its organizers were threatened with rape and death for publicly demonstrating against taboo topics such as sexual harassment and the demonization of divorce, and for calling out men for not doing housework.

Pakistan: Abduction of two Hindu girls sparks new debate on forced conversions

(ls) Two minor girls were kidnapped from their Hindu family's home in Pakistan's Sindh province on the eve of the Holi festival (20-21 March). Due to the local police's inaction and a social media uproar, Pakistani Prime Minister Imran Khan called on the Sindh and Punjab governments to constitute a probe and recover the two sisters. The issue of forced conversion is not new in Pakistan. The number of incidents has been rising because of religious extremism in northern Sindh. Rarely has any action been taken against the abductor, and the girls are usually not returned to their families. After the latest case, the debate over the need for a specific law against forced conversion has been renewed. [The Wire] [Dawn]

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Nepal: Federal Socialist Forum Party-Nepal threatens to quit government

(cw) Representatives of the Federal Socialist Forum Party-Nepal (FSF) have warned to leave the government of Prime Minister KP Sharma Oli of the Nepal Communist Party if the party's demands for the amendment of the constitution are not met. The FSF-N which represents the Madhesi population in Nepal joined the government in May last year based on an agreement on a revision of the constitution.

Speaking at a press conference on Saturday, FSF-N Deputy Prime Minister and Health Minister Upendra Yadav stated, since this agreement is still not implemented, his party is running out of patience. He said, the statute amendment is necessary because the statute promulgated is flawed, and the amendment is legally possible as the government commands a two-thirds majority in parliament. Yadav also proclaimed that the FSF-N had started dialogues and preparations for the unification with the Naya Shakti Party-Nepal and Rastriya Janata Party-Nepal. The latter of them earlier this month already formally withdrew its support for the government. [Business Standard]

Nepal: Parliamentary work on citizenship bill set to be concluded

(cw) The State Affairs and Good Governance Committee of Nepal's parliament last week formed a multi-party nine-member sub-committee to conclude the work on the Nepal Citizenship Bill by resolving the issue of naturalised citizenship. While the bill's provisions on naturalised citizenship for foreigners with a stay in Nepal of 15 years, for children of a Nepali mother and a foreign father, and for foreign women marrying a Nepali man are uncontroversial, the bill has

received criticism for failing to provide a clear provision for men marrying Nepali women. [Himalayan Times]

Nepal: Amnesty International Nepal submits 23,000 letters to home ministry

(cw) Amnesty International Nepal has more than 23,000 letters to the Ministry of Home Affairs calling for concrete measures to end violence against women, demanding perpetrators to be put on trial and the extension of the limitation period for rape complaints, which is currently 1 year.

The letters were collected during Amnesty International's global "Write for Rights" campaign that aims to draw attention to the emerging trend of violence against women and the deepening culture of impunity in Nepal. [Himalayan Times]

Sri Lanka: Investigation of war crimes to go ahead, but without foreign judges

(ls) The UN Human Rights Council (HRC) in Geneva on Thursday gave Sri Lanka two more years to set up a credible investigation into alleged war crimes, the second time it has been given an extension. The HRC demanded to include a special "hybrid" court involving both local and foreign judges and prosecutors. However, this demand was rejected by the Sri Lankan government due to “constitutional and legal challenges that precludes it from including non-citizens in its judicial processes.” Foreign Minister Marapana said it would not be possible without an amendment to the Constitution by 2/3 of members of the Parliament voting in favor and also the approval of the people at a referendum. [The Citizen]

Sri Lanka's main minority Tamil party, the Tamil National Alliance (TNA), however insisted that foreign judges be included in a special court. A representative said that Tamils, who were the most affected by the separatist war that claimed over 100,000 lives, will not accept an accountability mechanism that did not involve outsiders. [Straits Times]

Government troops have been accused of killing at least 40,000 ethnic Tamil civilians in the final months of the island nation's 37-year civil war in 2009.

Maldives: President warns of possible coup if his party fails to win a majority

(jk) President Solih of the Maldives has warned that his government may be vulnerable to a coup attempt if his party fails to win a majority of seats in the April 6 parliamentary elections. With his statement, he followed former President Nasheed who says he has suffered the same fate when he was ousted in 2012. Solih and Nasheed were on the campaign trail together and Nasheed said a coup can start in parliament if there is no majority. According to him, "the coup plot begins with no-confidence votes against ministers, followed by obstruction and blocking of funds for projects. In the last stage, judges and members of independent bodies as well as the police and military become politicised and accept bribes to undermine the government." [Maldives Independent]

Law and Politics in Southeast Asia

Thailand holds first fully-contested parliamentary elections since 2011

(jk) Despite official results only being announced by the Election Commission (EC) of Thailand in May, some facts and trends have already emerged after the voting ended on Sunday evening. The unofficial numbers of voter turnout for instance, as they were presented directly after the vote are rather low at just over 65%. In Thailand, voting is mandatory and despite few consequences for the average Thai for disregarding

this rule, voter turnout in Thailand traditionally is much higher.

The preliminary results paint a complex picture of Thai politics to come and it will take some time until a somewhat clearer picture will emerge and coalitions will form for both government and opposition. The parties that have done very well include current PM Prayuth's Palang Pracharath, which is likely to be the second biggest party in the House of Representatives and will therefore most likely have no problems finding sufficient votes for its PM candidate to lead the new government, in particular since the 250 Senators are expected to vote in line with it. Palang Pracharath looks like the party that has won the most votes overall (around 7.9 million with 94% of votes counted), while Pheu Thai has most likely won most seats in the constituency votes (around 7.4 million votes with 94% of votes counted). However, it certainly will have won less seats than observers had expected prior to the elections. Be that as it may, Pheu Thai will be a strong force in parliament and together with likeminded parties, could make it difficult to govern against, or, as the party itself has announced: form a coalition of its own to govern against Palang Pracharath. As it stands, it will definitely be the party occupying most seats in the lower house and it is useful to remember that controlling the lower house could be crucial in future Thai politics under the country's current constitution, even if this coalition does not field the PM. A simple majority in the lower house can for instance field no-confidence motions against the PM and his cabinet.

The Future Forward Party has done exceptionally well, significantly beating the Democrat Party which achieved such a poor result that party leader and former PM Abhisit Vejjajiva stepped down with immediate effect. He had previously stated he would not support current PM Prayuth as PM after the elections, but with him stepping down, the Democrats are back on the fence with regards to future coalitions. Future Forward is based on preliminary results the third most successful party in terms of votes (5.8 million with 94% of votes counted), and is posed to be a significant force in the house. [Bangkok Post] [Reuters] They have to be ready to join a coalition against the current regime which is consistent with their campaign promises.

As the dust settles in the immediate aftermath of the elections, critics have pointed to a number of irregularities which they would like the Election Commission to address and explain. These include a historically high number of invalid votes, an abrupt end and delay of vote counting on election night, issues concerning the inclusion of votes from Thai nationals

abroad, as well as suspicions as to constituencies in which the number of votes counted was exceeding the number of eligible voters (this allegation however was already refused by the Election Commission at a press conference on Monday afternoon). [Khaosod] Around 110 complaints have been received by the Election Commission as of Monday, as stated at the same press conference. Additionally, there are rumours the EC's vote reporting technology was hacked which could explain some of the irregular numbers in particular constituencies.

The European Union called the election an "important step towards restoring a democratic form of governance" and that it looked forward to "the announcement of the election results as soon as possible. It is also important that any reported irregularities are resolved swiftly and transparently." [EU] Others were less cautious in their statements, including the two independent groups able to monitor the Thai election: The Open Forum for Democracy Foundation's impressions suggests not that the vote was rigged, but that a lack of professionalism and due preparation undermined the election. [Bangkok Post] The other observer, the Asian Network for Free Elections (ANFREL), comprising of 34 international election observers, has published its interim report. It states that ANFREL did not witness major irregularities during voting or counting either, but not only was the "campaign environment [...] heavily tilted to benefit the incumbent military junta and the candidates that it supports", it also found that the EC could have performed better. "The lack of transparency and cooperation between the ECT and other electoral stakeholders severely limited the outflow of information, thereby fueling further distrust in the process and the institution itself." [ANFREL]

Exiled former PM Thaksin Shinawatra gave a number of interviews as well as writing a commentary in the [NYT] immediately after the elections, saying that Thailand's election was marred by irregularities and rigged to ensure the military retain their political grip. He also pointed out that the suspicion surrounding the vote will be detrimental to its credibility and it will not help political stability in Thailand. His concerns were echoed by some critics on Thai social media who allege that rules as to what constitutes a "valid" vote were applied stricter to those ballots that indicated a vote against the current regime - an allegation that is at this stage very difficult to prove.

At the end of Monday, the EC said the official result will be announced by May 9 and it will take some time for the EC to review all the results from the individual voting stations. Until the final and official results are

released and the party list and constituency seats have been considered, there will be no official and final numbers on how many seats will go to which party exactly.

For your reference, the latest announcement of preliminary results for seats of the *constituencies only* (350 in total) on Monday afternoon as provided by the EC for the top five parties is as follows: **เพื่อไทย** (Pheu Thai): 137 seats; **พลังประชารัฐ** (Palang Pracharath) 97 seats; **ภูมิใจไทย** (Bumjaithai): 39 seats; **ประชาธิปัตย์** (Democrat Party) 33 seats; **อนาคตใหม่** (Future Forward): 30 seats. [EC Thailand, *in Thai*]

The full preliminary results and tallied votes including party list seats from across the country are supposed to be published coming Friday. Although the exact party list seats have yet to be calculated by the EC, it seems likely that Pheu Thai already has as many seats as it could have in accordance with its share of the public vote and will therefore most likely not gain any additional seats via the list. Other parties will gain a substantial number of seats once the calculations have been completed. [Khaosod] offers the following prognosis based on 95% of the votes with party-list and constituency seats combined: Pheu Thai: 135 seats; Palang Pracharath: 117 seats; Future Forward: 80 seats; Democrat Party: 53 seats; Bumjaithai: 51 seats; Chart Thai Pattana: 11 seats; Seri Ruam Thai: 11 seats; Prachachart: 6 seats; New Economy: 6 seats; Action Coalition for Thailand: 5 seats.

Philippines: Increase in measles cases highlight concerns with misinformation in global health initiatives

(zf) According to official government data, it was announced this week that ongoing measles cases in the Philippines had surpassed 20,000, which constitutes an increase of nearly 5000 cases when compared to this time last year. Although the government has been pushing hard to ensure a strong vaccination rate among the broader public, a wave of anti-vaccine sentiment has proliferated among some Filipinos, especially by way of misinformation campaigns spread on social media. Despite the government's efforts, the Philippines remains a poorly vaccinated country, with only 73% of the population safeguarded against disease according to UNICEF. Experts claim that at least 95% of a given population must be vaccinated against measles in order to adequately deter the spread of the disease. On a wave of persistent anti-vaccine misinformation, the WHO

claims there has been a 30% increase in measles outbreaks worldwide since 2016. [Guardian] [Philippine Star]

Laos: Cabinet approves changes to tax law

(zf) In an attempt to raise money in order to meet government revenue demands, Laos has approved changes to its tax law that will allow the government to tax more effectively. Although specifics of the plan were not released to the media, it has been reported that the government will likely seek to increase revenue streams by changes to its income and excise tax policies. While this move seems rather benign, it suggests that the government is taking its revenue shortages seriously, especially amid serious allegations pertaining to the withholding of wages for some government officials, and persistent shortfalls in government efforts to adequately distribute food security provisions in rural areas (As detailed by CPG here and here). [Vientiane Times]

Myanmar: Tatmadaw to establish Military court to investigate allegations of mass violations of Human rights in Rakhine

(cc) The Tatmadaw announced in a statement that it will create a military court to investigate the allegations of mass violations of human rights against the Rohingya minority in August 2017 that led over 700,000 persons to flee to Bangladesh. While Myanmar continuously denied the accusations, a UN fact-finding mission accused the Tatmadaw of conducting its military operations in Northern Rakhine with genocidal intent.

The new court will be composed of two colonels and a major-general. As the Tatmadaw describes the crackdown as being a legitimate counter-terrorism operation there is little hope the Court will meet international standards, according to Amnesty International's director for Southeast Asia and Pacific for whom "The idea that the Tatmadaw could investigate itself and ensure justice and accountability is both dangerous and delusional". [Reuters 1]

Meanwhile, Bangladesh is struggling to deal with the hundreds of thousands of refugees now living in Cox's Bazar. Against the advice of Human rights organization, the country seems to elaborate further its plan to relocate thousands of them on the remote

island of Bhasan Char. According to Reuters, the U.N. provided the government with a concept note establishing a first timeline and budget. However, the organization insists that there is a need for further evaluation of risks and infrastructures on the island. Indeed, the island is prone to flood and cyclones and in September there were only 17,000 cyclone shelters out of the 70,000 needed. [Reuters 2]

Indonesia: Latest survey shows narrower lead for President Widodo to win election

(cc) A recent survey, conducted between February and March, shows that the coalition supporting President Joko Widodo is losing some ground on alternative Presidential Candidate Prabowo Subianto. While the incumbent is still ahead with 12 percentage points in the survey, in the legislative elections too, a big lead has been shrinking. If elected, Widodo might have a smaller majority in Parliament than previously thought. However, the survey conducted by Kompas shows that approximately 20 percent of voters remain undecided. [Straitstimes] [Reuters]

Jakarta opens first MRT line

(jk) Indonesia's capital has opened its first Mass Rapid Transit System last week, marking a first step towards relieving Jakarta's infamous traffic woes. Construction on a second line linking downtown and Jakarta's northern port also began yesterday and more lines are envisioned in the future in addition to an already operational airport train. The project for the new MRT line was backed by a loan from the Japan International Cooperation Agency (JICA). [Strait Times]

Cambodia: China builds country's first Expressway

(jk) In Cambodia, the construction of a US$2 billion Chinese-funded expressway connecting Phnom Penh and Sihanoukville began last week with an estimated completion date of 2023. PM Hun Sen again praised Beijing's aid and cited the lack of help from the United States and European Union who often tie their infrastructure aid to human rights and corruption abuses. [Strait Times]

International Relations, Geopolitics and Security in Asia

China, Italy sign Belt-and-Road MoU

(dql) Defying warnings and concerns from the USA and European countries, Italy became the first G7 country to join China's Belt and Road Initiative (BRI) after Italian Prime Minister Conte and Chinese President Xi on Saturday signed a Memorandum of Understanding , along with a total of 29 deals worth 2.8 billion USD, focusing agricultural, finance and energy sectors and including port management deals for Genoa and rieste. The latter is strategically important for China as it offers a link from the Mediterranean to landlocked countries such as Austria, Hungary, the Czech Republic, Slovakia and Serbia, all of which are markets Beijing wants to reach through the BRI. [South China Morning Post] [BBC]

Italy's signature gives China a decisive inroad into Western Europe and a symbolic boost in its geopolitical and geo-economic tug-of-war with Washington. It comes at a time when European leaders struggle to find a unified position of the European Union on the BRI, with countries such as Greece and Hungary enthusiastic about cooperation, others such as Sweden remain ambiguous, while France and Germany seem increasingly distanced to China. [Financial Review] [Nikkei Asian Review]

China-USA relations: Beijing protests against Washington's possible sale of fighter jets to Taiwan and other stitches

(dql) Citing unnamed sources, the South China Morning Post reports that the Trump administration has tacitly approved Taiwan's request to purchase more than 60 F-16 Fighting Falcon jets. [South China Morning Post] The possible sale, which would be the first US sale of advanced fighter jets to Taiwan since 1992, prompted fierce a protest by China, reiterating its firm opposition against arms sales to Taiwan and urging the US government to "to fully recognize the sensitivity of this issue and the harm it will cause." [Bloomberg]

Beijing also lodged a representation over Washington's sending of a guided-missile destroyer and a coastguard vessel through the Taiwan Strait at the weekend [Taiwan News] as well as over Washington's plan to allow Taiwan President Tsai Ing-wen to stop over in Hawaii next week during her tour of the island's diplomatic allies in the Pacific. [Reuters]

Cross-Strait Relations: "1992 consensus" revived by KMT rising politician

(dql) During his visit to Shenzhen, Kaohsiung mayor Han Kuo-yu of the opposition Kuomintang (KMT), who is believed to be KMT's candidate in the presidential election next year, expressed his strong support for the '1992 consensus'. In a move considered a boost for Beijing, he called it a stabilizer for Cross-Strait relations.

The '1992 consensus', a verbal understanding reached in that year between the Chinese Communist Party and the KMT that there is only "one China", is rejected by President Tsai Ing-wen who insists on Taiwan sovereignty and warned Han might be used by Beijing to introduce a "one country, two systems" policy for unification. [Focus Taiwan] [South China Morning Post]

China-Japan relations: Talks on cooperation on infrastructure development projects in third countries to begin soon

(dql) Reflecting warming bilateral relations, Japan and China have reached an agreement to initiate talks to facilitate cooperation on infrastructure development projects in third countries, with the inaugural meeting being arranged for April or May in Beijing, ahead of Chinese President Xi Jinping's planned visit to Japan in June for the Group of 20 summit in Osaka. [Japan Times]

However, at the summit Japan will at the same time propose new guidelines on development assistance, highlighting anti-corruption and fiscal sustainability as key principles for development assistance and aimed to encourage donors comply with international norms when undertaking infrastructure projects. The guidelines are widely seen as an attempt to check China's growing influence through infrastructure projects in Africa and Asia. [Nikkei Asian Review]

China and Vietnam open new cross-border bridge

(jk) According to Chinese media, last year trade volume between China and Vietnam reached a high of close to 150 billion U.S. dollars and China accounted for the largest number of foreign tourists in Vietnam. Recently, a new bridge was opened which said to shorten waiting time for customs clearance and further boosting border logistics and trade and promoting connectivity under the Belt and Road Initiative, according to PRC media outlet. [Xinhua]

South Korea-Japan relations: Tensions set to rise further

(dql) Already strained relations between South Korea and Japan are expected to rise after a South Korean court approved a request to seize assets of Mitsubishi Heavy Industries Ltd. in South Korea following the company's refusal to compensate Koreans who had won a wartime labor case against the Japanese firm. After Nippon Steel & Sumitomo Metal Corp. [AiR 3/1/2019], Mitsubishi Heavy Industries Ltd. is the second Japanese firm to face such a court decision.

Japan is expected to reject this latest ruling, too, as it claims that the forced labor issue has already been settled in 1965 Treaty on Basic Relations between Japan and the Republic of Korea. [Nikkei Asian Review] With related diplomatic efforts between Tokyo and Seoul to resolve the issue yielding no agreement,

Tokyo is reportedly considering raising tariffs on South Korean products and other measures in response to the seizure decisions. [AiR 2/3/2019]

In another development, reflecting current anti-Japanese sentiments in South Korea, members of a South Korean provincial assembly announced the plan to affix Japanese-made school products with a sticker carrying the text "This product was produced by a war crime company". [The Diplomat]

North Korea: Resuming work at joint inter-Korean liaison office after last week's pullout, Kim set to visit Russia

(dql) On Monday, North Korean officials returned to work at a joint inter-Korean liaison office after Pyongyang had pulled its staff members from the office last Friday. The withdraw last week raised concerns over North Korea's possible hardening of its position towards South Korea in the wake of the failed Kim-Trump summit in Hanoi. [New York Times]

In between these moves was President Trump's tweet on Friday that he has decided to refrain from imposing new large-scale sanctions on North Korea overruling the Treasury Department which the day before had issued the first sanctions against Pyongyang since the Trump-Kim summit in Hanoi. [Time] [Reuters]

Meanwhile, North Korean leader Kim Jong-un's visit to Russia may take place soon, according to TASS citing the head of the group of friendship between the Federation Council and North Korea's parliament. [TASS]

The news comes after representatives of the North Korean and Russian foreign ministries met in Moscow and Pyongyang for talks on bilateral cooperation in the past weeks on the occasion of the 70th anniversary of the North Korea-Russia agreement on economic and cultural cooperation, with both sides agreeing to "boost high-level contact and exchange in the political field, actively promote cooperation in the fields of economy and humanitarianism, [and] bolster up mutual support and collaboration in tackling the issue of the Korean peninsula and on the international arena". [KCNA] [Korea Joongang Daily]

Pakistan shows off military might at Republic Day

(dql) In a show of strength towards India, Pakistan's army parade on Saturday, marking Republic Day, displayed missiles, tanks and aircraft, with troops marching through the streets of Islamabad and flyover-performing warplanes including the JF-17 fighter jet, which shot down Indian military aircraft in the context of last month's attack. Guests of honor were Malaysia's Prime Minister Mahathir, Azerbaijan's Defense Minister Col. Gen. Zakir HasanovMohamad, and the commander of the National Guard of Bahrain, Lt. Gen. Sheikh Mohamed Bin Isa Bin Salman Al-Khalifa. The parade was also attended China, Saudi Arabia, Sri Lanka and Turkey. [Defense News] [DW]

Meanwhile, Pakistan's military rejected India's claim that US-made F-16 fighters jets were used to shoot down Indian military aircraft in the context of last month's attack, saying that a JF-17 Thunder combat aircraft developed jointly with China was used in the operation. The US State Department announced that it was seeking more information from Pakistan to clarify possible violations of the end-user agreement. [Economic Times]

Nepal-Pakistan relations: Foreign secretary level talks suspended

(cw) In view of intensified tensions between India and Pakistan, Nepal has suspended foreign secretary level talks with Pakistan. A Nepal-Pakistan Bilateral Consultation Mechanism meeting, chaired by the foreign ministers of Nepal and Pakistan and scheduled for 25 and 26 March in Islamabad has been postponed until further notice.

The cancellation takes place shortly before the two-day visit of Indian Foreign Minister Vijay Keshav Gokhale on 28 March. It is expected that Gokhale will review the status of Indian-funded projects in Nepal and discuss counter-terrorism issues. [Business Standard]

Maldives: The Maldives reaffirm "India-First Policy"

(jk) After the two-day visit of the Indian Minister of External Affairs to the Maldives during which, as AiR has stated previously, the Maldives Military said that the installation of 10 radar systems gifted by the Indian government will be completed within the end of this year, the Maldivian leadership has reaffirmed its

"India-First Policy". Leaders said they will remain sensitive towards its security and strategic concerns of India. [Economic Times] Incidentally, a planned anti-India protest in Malé was not allowed to go ahead after a permit for it was allegedly violated. Protesters wanted to speak out against Indian military presence in the Maldives and about their suspicion Malé was enslaved to the Indian government when police arrived and ended the protest prematurely. [Maldives Independent]

At the same time, at the occasion of Pakistan Day on the 23rd of March, the government expressed its appreciation for Pakistan's role in the socio-economic development of the Maldives, and Vice President Naseem emphasised his government's wish to continue its cooperation with the government of Pakistan across all areas. [Raajje]

Sri Lanka – Australia Naval Exercises, Army exercises with India

(jk) Ahead of major naval exercises between Australia and India that will take place in the Bay of Bengal next month, ships of the Australian Navy have arrived in Sri Lanka for a set of activities under its Indo-Pacific Endeavor series – the Australian Navy's largest defence engagement in South and Southeast Asia to date. [AUS Dep of Defence] The Royal Australian Navy will train with the Sri Lankan navy for humanitarian assistance and disaster relief operations. [Colombo Page]

At the same time, Sri Lanka is conducting its annual army exercises with India from March 26 to April 8. The Mitra Shakti exercises are conducted annually as part of military diplomacy and interaction between the two armies. [United News of India]

Sri Lanka receiving more foreign investment, including from the PRC

(jk) The People's Republic of China agreed last week to provide a loan of US$989 million in order to build a highway connecting the country's central region to the China-run seaport of Hambantota and an airport near Colombo. [Dawn] Also last week, Oman's oil minister arrived in Sri Lanka to take part in a ceremony surrounding the beginnings of a nearly US$4 billion construction project for a new oil refinery near the port of Hambantota. Although there is no formal endorsement by the Omani government yet, the Sri

Lankan side stated Oman was taking a share of around 30% percent of the project with 70% taken by a Singapore company controlled by India's Accord Group. [Reuters] PM Wickremesinghe is hoping to display with this single biggest foreign investment project that Sri Lanka is open for investments from country's other than the PRC. "The interest shown by the Oman government, the interest shown by many other investors from other parts of the world shows that Hambantota will become a truly international investment zone." [Channel News] Opposition in the country, especially former PM and Member of Parliament Rajapaksa remains highly critical of the move pointing out that Oman has not yet endorsed the deal and the foundation stone of the refinery should not be in place prior to a formal agreement. [Newsfirst]

Philippines: former government officials initiate ICC case against China's Xi Jinping for crimes against humanity in South China Sea

(zf) With the Philippines official exit from the International Criminal Court (ICC) just a week old, it was announced this week that a new complaint was made at the ICC against China's actions in the South China Sea by the country's former Foreign Secretary and chief anti-corruption officer. The former Philippine officials claim that China's aggression in the South China Sea deprives thousands of foreign fishermen of their livelihood in contested waters and destroys the environment by way of dubious land-reclamation techniques. It is argued that such actions threaten food and energy security in the region. They also say that the complaint was officially filed a week before the Philippines left the organization. While the new case is an interesting development, especially in light of the country's recent exit from the ICC last week, there is little evidence that such an accusation will lead to any substantial changes to Beijing's policy proclivities—even if the ICC were to rule in favor of the plaintiffs. Indeed, despite Beijing's official reprimand after the ICC's infamous Philippines v. China case in 2016 that ruled any Chinese claims in the region were unfounded, China roundly ignored the ruling and claimed that the ICC had no jurisdiction over internal government policy. There is little reason, therefore, to think that another unfavorable ruling would change their behavior, even if the case were to be sincerely undertaken. In the Philippines, reactions to the news were mixed. Several senators came out in favor of the development, framing their support as the patriotic thing to do in order to ensure national territorial

integrity and national sovereignty. President Duterte, by contrast, dismissed the complaint, emphasizing that the ICC currently has no jurisdiction over the Philippines or China. He also made clear that relations with China will remain strong despite the allegations. [South China Morning Post] [Rappler] [Reuters]

Vietnam again denounces Taiwan's live-fire drills in the South China Sea. It also lodges a separate complaint with the PRC.

(jk) The Vietnamese Ministry of Foreign Affairs has spoken out against Taiwanese live fire drills in the South China Sea as those represent a serious violation of Vietnamese sovereignty. Taiwan has conducted the drills last week and has previously done so, receiving the same reaction from Vietnam. The drills were conducted near the Spratly Islands, which Vietnam claims to be its territory. [Vietnam Express, Taiwan News]

With regards to the fishing vessel that had allegedly been rammed by a PRC vessel earlier this month (as reported here two weeks ago), causing the ship to sink, Vietnam has now lodged an official protest with China. Vietnam has now said that the fishing vessel was moored in the Paracel archipelago when a China Maritime Surveillance Vessel chased it and fired water cannon at it. [Reuters]

Indonesia to propose USD91 billions worth projects for Belt and Road

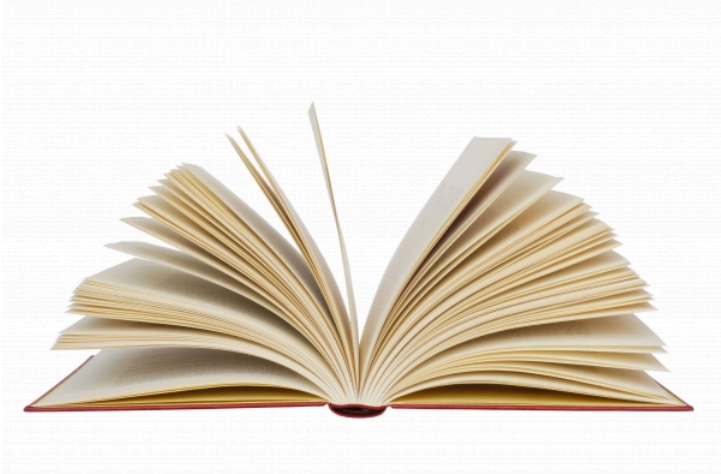
(jk) Indonesia's Coordinating Maritime Affairs Minister announced that the country is due to propose 28 projects related to seaports, power plants, smelters as well as industrial and tourism estate for the China's Belt and Road Initiative. These projects, worth of USD 91 billion, concern North Sumatra, North Kalimantan, North Sulawesi and Bali and are set to be proposed on Wednesday in Bali. [Straitstimes]

More criticism and reactions from Malaysia on EU palm oil decision – Chinese fighter jets as a negotiating tactic?

(jk) As a reaction to the European Commission's conclusion that palm oil should be phased out from

transport fuel due to environmental concerns last week, Indonesia and Malaysia have raised more concerns in addition to openly considering the boycott of European goods. [SCMP 1]Malaysia's leader said last week that in a possible response, his country could look to the People's Republic of China to upgrade its fleet of Russian MiG-29 fighters and cancel plans to purchase France's Rafale jet or the Eurofighter Typhoon. His comments come ahead five-day international defence exhibition on the island of Langkawi where many global weapons manufactures are present. [SCMP 2]

Background Reading



From Declaration to Code: Continuity and Change in China's Engagement with ASEAN on the South China Sea

(jk) This ISEAS piece looks at the People's Republic of China's engagement with ASEAN over the South China Sea. It finds that from the Declaration on the Conduct of Parties in the South China Sea to the negotiations on the Code of Conduct (COC), which is still in process, the PRC displays two constant features. They are the repeated dismissal of legally binding instruments as well as continuing efforts to solidify territory in the SCS, simultaneous with diplomatic engagement with ASEAN. [ISEAS]

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