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Asia in Review

(1/5/2019)

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Dear Reader,

AiR's team is presenting you the first issue of 'Asia in Review' (AiR) in May 2019 updating you on the latest developments in geopolitics and international relations as well as constitutional politics, law reform and governance in Asia.

I wish you an informative read.

With the best wishes,

Henning Glaser

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Law and Politics in East Asia

China: Mass surveillance in Xinjiang more sophisticated than thought

(dql) A Human Rights Watch report has revealed details of a mobile app being used by police and other authorities in Xinjiang to identify target groups for enhanced surveillance and monitoring. Shedding light on the sophistication of the surveillance system in China's far Western predominantly Muslim region, the document, titled "China's Algorithms of Repression: Reverse Engineering a Xinjiang Police Mass Surveillance App" and released last Thursday, spells out a list of 36 different behaviors for which the app would call for special attention by the officials ranging from electricity and smartphone use to personal relationships to political and religious affiliations. The report also shows that the app involves new technologies to build an extensive and advanced surveillance system for social control including big data analysis, facial recognition and artificial intelligence. [Human Rights Watch] [Bloomberg]

Japan: Constitutional revision remains contented

(dql) Revision of the Constitution remains a contentious issue among Japan's population with those who want to retain the country's war-renouncing Constitution unchanged, and those who push for an amendment of the supreme in line with Prime Minister Shinzo Abe's ideas taking to the streets on Japan's Constitutional Day last week. [Mainichi]

Abe himself re-affirmed on this occasion his commitment and determination to revise the pacifist constitution by the end of 2020, stressing in particular the need to write down the role of the Self-Defense Forces in the constitution's war-renouncing Article 9. [Nikkei Asian Review]

However, forging a two-thirds majority needed in the Diet for the constitutional revision, is not an easy task as even forces supportive of the revision pursue different objectives and split on the specifics of any amendments. [Japan News]

Japan: Emperor Naruhito ascends the throne

(dql) Last Wednesday, Japan's new Emperor Naruhito ascended the Chrysanthemum Throne heralding the new Reiwa era. In his speech he pledged to "act according to the Constitution" and to fulfill his "responsibility as the symbol of the State and of the unity of the people of Japan". [Japan Times]

South Korea: Feud over reform bill on redistribution of investigative rights between prosecution and police

(dql) Tensions are rising over plans for a redistribution of investigative rights between the prosecution and police in South Korea, after the country's Prosecutor-General publicly criticized the bills arguing that they would violate democratic principles mandating a system of checks and balances.

Among the most contentious points of the bills, which were fast-tracked with the parliamentary committee votes of members of the ruling Democratic Party and three other minor parties against strong resistance by the main opposition Liberty Korea Party, are the proposal to expand the autonomy of the police and allow the police to open and close cases without approval from the prosecution, as well as the creation

of a special investigative agency which would independently investigate and indict high-ranking government officials implicated in corruption. These are all powers currently solely in the hands of the prosecution, and the reforms would end the dominant role in investigation and indictment the prosecution is playing under current laws. [Yonhap]

Taiwan: Cabinet oks whistleblower protection bill

(dql) Last week, Taiwan's cabinet approved a whistleblower protection bill aimed at safeguarding the rights of employees who disclose information about illegal activities or abuses of authority in a private or public entity, including malfeasance, corruption, money laundering, human trafficking or other offenses. The draft prohibits employers to take retaliatory measures against the whistleblower, including - among others - firing, demotion, suspension or payment reduction.

However, the bill states that whistleblower will not enjoy protection if they directly refer the information to elected representatives, news media or social welfare groups before reporting to their superiors, the police, prosecutors or a government agency or before a period of 30 days during which a report remains un-responded. [Focus Taiwan]

Law and Politics in South Asia

India: As elections enter fifth phase, renewed attention given to missing voters

(zf) The marathon that is India's national elections is entering its fifth phase next week. [NDTV] Democracy rights advocates and watchdog groups, however, claim that over 120 million eligible voters appear to be missing from voter rolls. [Foreign Policy] While some claim that there is a conspiracy to prevent certain voters from participating in the election – especially lower-caste and minority voters – others say technical issues are to blame. [Al Jazeera]

One issue that could be contributing to the phenomenon is a tool on the Election Commission's (EC) website that allegedly makes it relatively easy to request the poll body to remove a voter from the eligible voters list. The tool is known Form 7. Critics say that the form is being filled out via the EC website on behalf of certain political parties to unfairly influence the election. They say that an individual can request removal of a voter with minimal verification or follow-up.

A spokesman for the EC, however, claims that the numbers of missing voters are inflated and maintains, "If a once-enrolled voter finds out that his name is deleted, he can submit [an] application for adding his name to the appropriate constituency." Activists refute these arguments, claiming that the onus shouldn't be on poor citizens to keep checking their status once they are on the rolls, some of whom are without Internet access or the proper knowledge to navigate the bureaucracy. [Al Jazeera 2]

India: Local BJP leader killed, voters abstain in Kashmir

(zf/ls) Separatist rebels in Indian-controlled Kashmir killed local BJP leader Gul Mohammad Mir last week. Police say that a nearby polling station was also set ablaze. Intimidation and continued simmering violence between India and Pakistan (as well as from domestic separatist groups) has greatly impacted the turnout in Kashmir thus far – turnout has barley cracked ten percent in previous rounds of voting. [Al Jazeera]

While the elections have generally been violence-free this year, several attacks have occurred, including the killing off fifteen police commandos by Maoist rebels in Maharashtra earlier this month. [Hindustan Times]

At polling stations in Pulwama and Shopian districts of Jammu and Kashmir where polling is underway for the Anantnag parliamentary constituency, no or only a few voters turned up. Under heavy presence of security forces, only 1.8 per cent of the electorate cast their votes in the six Assembly segments spread across the two districts until Monday afternoon. Pulwama and Shopian districts have witnessed low key campaigning both due to security reasons and disinterest among people in the elections. No wall, street or building is decorated with colourful flags and banners of the parties. [Times of India]

India: Maoist rebels kill 15 policemen in western state of Maharashtra

(ls) Suspected Maoist rebels have killed at least 15 policemen and a civilian driver in an attack on two vehicles last week in the western state of Maharashtra. The rebels, known as Naxals, have killed more than 10 people, including a politician, in Chhattisgarh state amid the ongoing elections. They say that they are fighting for people left out of a long economic boom in Asia's third-largest economy. [Al Jazeera]

Exposing another theater of terrorist threats besides the situation in Kashmir, the first armed uprising took place in the remote Naxalbari village in the Indian state of West Bengal in 1967. Since then, periodic Naxal violence has taken place in India’s tribal belt which is often also referred to as the “Red Corridor,” spread across the states of Chhattisgarh, Odisha, Jharkhand, Bihar, and Andhra Pradesh. These regions are mostly home to subsistence farmers. They view mining activity, and its environmental fallout, as posing a severe challenge to their existence. Mining and conflict zones coexist in these central and eastern parts of India, making them particularly prone to Naxalism. [The Diplomat]

India: Campaigns interrupted by cyclone Fani; U.N. praises government response

(zf) A powerful tropical storm slammed into the eastern Indian state of Odisha this week. Although most of the country was physically unaffected, the storm garnered significant media attention, prompting campaigns across the political spectrum to take notice. Some events were interrupted, notably BJP president Amit Shah’s campaign rally in Jharkhand. [India Today]

As the cyclone approached, Prime Minister Modi pledged 10 billion rupees (approximately $150 million) to the effected areas for disaster relief and cleanup. [Economic Times] Mr. Modi is due to visit storm-affected areas early next week.

At the time of writing, 29 people have died in Odisha due to the storm. [The Hindu] The U.N. and other disaster experts have praised India for its response. Over 1 million people were successfully evacuated. To compare this effort with past attempts at mitigating loss, approximately 10,000 people were killed in 1999 after a similar storm came ashore in approximately the same area. [Al Jazeera] This time, improved forecast modeling, large-scale text messaging efforts, and an army of volunteers and emergency workers were crucial in preventing similar losses. [New York Times]

India: Panel finds no sexual harassment by Supreme Court Chief Justice

(ls) An in-house committee of the Supreme Court of India has found "no substance" in the sexual harassment allegations levelled by a former Supreme Court staff member against Chief Justice Ranjan Gogoi. The report remained unpublished. There will be no Full Court meeting on the contents of the "informal" proceedings. The complainant said she was "highly disappointed and dejected" to learn that the in-house committee had found no substance in her complaint. [The Hindu]

Critics point out that the procedure disregarded the requirements of due process. No police investigation has been conducted so far. The woman withdrew from the hearing after she felt intimidated at not being allowed to be represented by her lawyer. News-reports cite the young woman as saying that she also had a hearing-impairment problem and could not respond properly to the questioning by the three-judge panel. [Economic Times]

Nepal: Two parties merge to create new political force for marginalized groups

(ls) Two Nepali parties, the Naya Shakti Party-Nepal and the Sanghiya Samajbadi Forum-Nepal, have merged to create a new force, the Samajbadi Party Nepal. Leaders said the merger was necessitated by an apparent lack of a "strong third force" and that the unified Samajabadi Party Nepal will strive for creating

an “alternative force” in the country. The two parties held one and 16 seats in the federal parliament, respectively.

Baburam Bhattarai, who will hold the most senior position in the new party, was one of the key architects of the “people's war” which claimed 17,000 lives. He left the Maoist party in 2015, days after the promulgation of the constitution. He also led the Maoist government from 2011 to 2013. Bhattarai later formed his own party, the Naya Shakti Party-Nepal. He did not join the formation of the grand left alliance of CPN-UML and CPN (Maoist Centre).

The other leading figure, Upendra Yadav, on the other hand, has seen a steady rise in Nepali politics since the 2007 Madhes movement. His Sanghiya Samajbadi Forum-Nepal is the fourth largest party and currently supporting the incumbent government. Yadav he is the deputy prime minister and health minister in the Oli Cabinet.

Some observers say that the new party, which brings together marginalized communities like Madhesi and Janjati and a person like Bhattarai, who comes from the dominant Khas Arya community but speaks for the rights of the Madhesi and other marginalized communities, could be helpful in creating a new movement. [Kathmandu Post] [Himalayan Times]

Pakistan: Growing support for the Pashtun Tahafuz Movement

(ls) A potentially powerful civil society movement is forming in Pakistan. The Pashtun Tahafuz Movement (PTM), or Pashtun Protection Movement, which demands an end to extrajudicial killings, enforced disappearances, the removal of military checkpoints, and the establishment of a truth and reconciliation commission, is receiving increasing social media attention.

The support for the group grew in particular since the extrajudicial killing of an aspiring model and artist from Waziristan in the city of Karachi in January 2018. In February this year, hundreds of young men and women marched in Lahore to demand freedom of expression, respect for the country’s constitution, and civil rights. Dozens of other rallies across the country demanding basic rights for ethnic Pashtuns have taken place. [Foreign Policy]

Manzoor Pashteen, a 26-year-old man from an impoverished tribal background, has been becoming it

symbol. The Pakistan military accused him of receiving funds from Afghanistan's and India's intelligence agencies, which Pashteen dismissed as baseless accusations. He said that he respects the country's constitution and that the military has a tendency to label anyone who fights for constitutional rights as "anti-state forces." [VOA]

Pakistan: Former prime minister Nawaz Sharif back in detention over corruption charges

(ls) Pakistan's Supreme Court rejected former prime minister Nawaz Sharif's separate petitions seeking an extension in his six-week bail and permission for medical treatment in the United Kingdom. The case deals with alleged corruption related to the Al-Azizia Steel Mills. Nawaz was scheduled back in pretrial detention on 7 May. [Gulf News]

Sri Lanka: New evidence and controversial security responses following Easter attacks

(ls) As Sri Lankan investigators reveal details from the suicide blasts that killed more than 250 people in churches and hotels across the island on Easter Sunday, more evidence, such as the explosive material used and the manner of acting, points to a role by the Islamic State in inspiring, perhaps directing, the attacks and training some of the attackers. At the same time, the authorities believe that Inshaf and Ilham Ibrahim, sons of one of Sri Lanka's wealthiest spice traders, possibly financed the plot. According to a New York Times article, the Islamic State ideology's appeal to some of Sri Lanka's richest families has been known for years. [New York Times]

Meanwhile, Sri Lanka has expelled more than 600 foreign nationals, including around 200 Islamic clerics on visa overstay. Many of them appear to have been from Bangladesh, India, the Maldives and Pakistan. Sri Lanka has imposed a state of emergency since the attacks and given wide powers to troops and police to arrest and detain suspects for long periods. [Straits Times]

Sri Lanka's president Sirisena has used his emergency powers to prohibit wearing any item that covers the face or conceals the identity, referring to the move as a

security measure. The order has been interpreted effectively as a ban of the black niqab veil. However, the measure would not have stopped the suicide bombings, as all were carried out by men. The niqab, unlike the hijab, is a black veil made of thin fabric, often with a small opening from which a woman's eyes can peer out. Wearing the niqab has become more popular among conservative Muslim women in Sri Lanka in recent years. [Washington Post]

The All Ceylon Jamiyyathul Ulama (ACJU), the organization of Muslim clerics in Sri Lanka, had earlier requested Muslim women not to hinder the efforts of security forces who are responsible in maintaining national security, and urged women not wear the niqab. [Gulf News]

Cardinal Malcolm Ranjith, the archbishop of Colombo ordered to keep churches and Catholic schools closed throughout Sri Lanka and to cancel public congregations for Mass "until further notice". He claimed to have received "foreign information" that further attempts would be made to attack a church and another church institution. [South China Morning Post]

While most Sri Lankan residents are Buddhist, around 70 percent, Muslims make up about 10 percent of the 21 million population. Christians and Hindus make up 7 and 13 percent of the population respectively.

Law and Politics in Southeast Asia

Singapore: Anti-Fake News Bill faces heavy criticism by lawmakers and experts

(jk) As reported previously, the "Protection from Online Falsehoods and Manipulation Bill" has been introduced to parliament, and as a reminder, CPG's Dr Lasse Schuldt has taken a closer look at the bill and its background here [Verfassungsblog].

Dr. Schuldt is by far not the only one with concerns regarding the reach and terms of the bill. The Singaporean parliament is to discuss the bill further this week, but previous weeks already saw lawmakers, experts and social media companies raising concerns and making suggestions for amendments.

After academics and journalists had remarked that the bill leaves the government with too much unchecked power and foresees too small a role for the country's courts, and is with potential consequences for academic research [SCMP 1], three nominated members of parliament complained over provisions giving arbitrary power to the government when determining what constitutes a fact. They suggested amendments to the bill which would reflect that such a decision ought to be subject to a review by an independent council; that the government has to spell out the reasons for its decisions; and for parties appealing to have access to low-cost means of legal recourse. [SCMP 2]

Along similar lines, a former PAP lawmaker has published an open letter, saying that Singapore could be a world leader in the fight against fake news, but that it must not fail to take the concerns raised seriously. He largely agrees with the need for the law, as well as with the aforementioned suggested amendments but sees a huge risk in getting the legislation wrong: "Done in a wrong way, there is a risk of people losing trust in the government, despite its best intentions in tackling this challenging issue." [TOC]

Malaysia appoints its first female chief justice

(jk) The Prime Minister's Office released a statement last week saying that Federal Court judge Tengku Maimun Tuan Mat will assume the highest position in Malaysian judicial system with immediate effect. She is the first female chief justice Malaysia's history. Her predecessor has reached the mandatory retirement age of 66 years. [Malay Mail 1] More details on Tengku Maimun's biography can be found here [Malay Mail 2].

In recent weeks, there have been speculations about who will be the next chief justice, also in terms of the

ongoing disagreements between the Prime Minister and the Johor royal family as AiR reported on last week. [AiR 5/4] It has been suggested that the process to appoint a new chief justice was taking longer than expected and that the new king was deliberating with other Malay sultans on the government's candidate even though he did not need to do so. [SCMP] The recent spat between PM and the royal family will not be helped by the fact that Mahathir has been widely quoted calling the Crown Prince a "little boy" who does not know what he is talking about. [The Star]

Thai King Maha Vajiralongkorn crowned Rama X / New Queen in Thailand

(jk) After elaborate coronation ceremonies ending on May 6, King Vajiralongkorn is now crowned as Rama X of the Chakri dynasty, which has reigned since 1782.

Prior to the coronation ceremonies that started on May 4, His Majesty King Maha Vajiralongkorn's and Gen Suthida Vajiralongkorn na Ayudhya's marriage was announced. According to a royal statement, the King's wife is now known as Queen Suthida. [Bangkok Post]

National Human Rights Commission of Thailand begins inquiry of commissioner

(jk) The National Human Rights Commission of Thailand is looking into one of their commissioners for alleged political partiality after a complaint has been filed with the commission. Khun Angkhana Neelapaijit, known as an outspoken commissioner, is being investigated for her role in "observing legal proceedings and documenting rights violations against opposition politicians and critics of the ruling National Council for Peace and Order (NCPO)". She is, according to critics of this inquiry, being investigated for doing her job and demanding accountability. If not dismissed, the inquiry could lead to her impeachment. [The Nation]

The National Human Rights Commission of Thailand consists of a Chairperson and 6 members (commissioners) who were appointed by the King with the advice of the Senate for a six-year term and serve for only one term. The National Human Rights Commission was appointed by the King in 2015 and will complete the current term in 2021.

Thailand: Army drops charges against soldiers for killing of six in 2010

(jk) During red shirt protests in Bangkok in 2010, six unarmed Thai civilians were shot dead after they sought refuge in a temple. Despite an inquiry by a criminal court back in 2013, which found that military personnel were responsible, the case has now been dropped due to a lack of evidence. Overall, around 90 people died during the protests but there has been little legal consequence since. [Khaosod] One of the foreign journalists who were at the scene in 2010 has written an account of the events he witnessed. [Globe and Mail]

Indonesia's planning minister announces capital city move

(jk) Jakarta, a city with a core population of more than 10 million and many more living on its outskirts, is facing serious consequences due to rising sea levels and sinking land. Current predictions foresee that by 2050, most of North Jakarta could be submerged [BBC 1]. While cities all over the world are facing similar problems, Jakarta is in addition known for its traffic misery, allegedly costing the country nearly US$7bn each year and it is one of the fastest-sinking cities, making the problem even more urgent.

By considering the move, President Jokowi and his cabinet are bringing back ideas that have been floated repeatedly over the past decades. The idea of a new capital, or one that looks very different from Jakarta today, has been around for a while but was never acted upon. Growing pressure from the water may however be what will lead to the eventual relocation of government.

Proposals to move to Palangkaraya, a provincial capital on the island of Borneo, surfaced as early as the 1950s and once again, Palangkaraya is one of the front-runners for a potential move. [BBC 2]

Philippines: The global epicentre of cybersex trafficking

(jk) Under the leadership of the police in the Philippines, a global task force has this year been trying to rescue children abused online. The

Philippines is known to be a major hub for online child abuse consumed all over the world and numbers are increasing. Last year alone saw 60,000 reports logged there, with the actual numbers likely to be much higher. Many victims are exploited by their own families in which case they often refuse to speak out or alert anyone as to what is being done to them. Modern technology and sophisticated encryption on the other hand, makes criminals tough to track.

In February this year, the Philippine Internet Crimes Against Child Center (PICACC) was launched. Here, local police work supported by staff of the Australian Federal Police (AFP), Britain's National Crime Agency (NCA), as well as representatives from the US NGO International Justice Mission (IJM). It also links with authorities in the United States, Canada, Sweden, Germany and the Netherlands. [Reuters]

In addition to the problems law enforcement is facing with regards to finding and prosecuting perpetrators, the country also severely struggles with providing shelter and aftercare for abused children. [SCMP]

Philippines: Local protests against BRI project, calling it an example for Duterte's China approach

(jk) A local group protested against a US$71 million irrigation project in Luzon, saying it is reflective of the Duterte administration's leaning towards the Chinese government. Their concerns in particular are related to the hiring of Chinese nationals, rather than local workers, and paying them much higher wages than the local average. [ABS-CBN]

With regards to another preliminarily approved, China-funded project – the Kaliwa Dam project aimed at providing a water source for Manila, a Japanese company has voiced renewed interest and offered to realise the project not only more sustainable and quicker than the Chinese plan, but also at about half the cost. [Bilyonaryo]

Philippines: Supreme Court orders government to protect environment in South China Sea

(zf) In response to local fisherman's complaints that Manila wasn't doing enough to protect locals from

Chinese incursions in the South China Sea, the Filipino Supreme Court ordered government and state security agencies to protect the environments surrounding the disputed islands this week.

Specifically, the order includes written instruction to top government officials and key ministerial posts – including the coast guard and navy — to protect reefs and marine life within the Philippines' 200 nautical mile exclusive economic zone (EEZ). While a 2016 landmark case by the Permanent Court of Arbitration set an international legal precedent toward the illegality of Chinese actions in the region, Beijing summarily dismissed the ruling and continues to make its presence felt on disputed island chains and surrounding waters.

President Duterte has received domestic criticism for perceived weakness in defending Filipino interests in the waters. When pressed on the matter, however, he argues that despite his country's concerns standing up to China would be dangerous and misguided given Beijing's superior military power. Duterte has also courted Chinese investment for his signature 'Build, Build, Build' domestic infrastructure projects, further complicating any pushback. [Forbes] As for the latest ruling, the Philippine' court gave no indication of how the government should enforce the proclamation, or a specific timeframe. [Reuters]

Reuters reporters jailed in Myanmar freed from prison

(jk) The two Reuters reporters convicted of breaking the Official Secrets Act, after spending almost two years in jail and after Myanmar's Supreme Court had rejected the journalists' final appeal in April, have now been pardoned by President Win Myint. The President has pardoned thousands of prisoners around the Buddhist New Year celebration as is customary in the country, but thus far, international observers had little hope the two journalists would be among the pardoned prisoners. [Reuters]

Myanmar: Interview with Arakan Army chief

(jk) Last month, [Asia Times] journalists have conducted an interview with General Tun Myat Naing, commander-in-chief of the Arakan Army. In the interview, he speaks about achieving autonomy for

ethnic Rakhine Buddhists and why he thinks his army is being treated and portrayed unfairly. In the short interview excerpt, he also maintains that his army will treat the Rohingya with “due dignity”.

Government troops, who have long been fighting the rebels and who UN officials believe have committed war crimes against the Rohingya, have said they killed at least six people detained in a village school in Rakhine state as they were investigated for possible links to the rebel army. The detainees were unarmed, but “tried to attack” the security forces. The army has detained hundreds of suspects at the school. [BBC]

Vietnam: Rumours about Secretary General and President Nguyen Phu Trong’s absence

(jk) After missing several high level meetings of late, in addition to rumours of having suffered a stroke earlier in April, the Vietnamese President and Secretary General is rumoured to be retreating from his role due to ill health. Irrespective of these developments, the next Communist Party of Vietnam Congress is scheduled to be held in January 2021. Due to term limitations, it is already clear that a new Secretary General will be anointed. [ISEAS]

Brunei extends death penalty moratorium to cover recent sharia laws

(jk) Brunei decided at the beginning of April it will include the death penalty by stoning as a punishment for adultery and gay sex, which has led to a global backlash including a campaign to boycott Brunei-owned hotels. As AiR has written then [AiR 1/4], it was not to be expected that Brunei would carry out any death sentences, however. Its last known execution has been carried out in 1957 when it still was a British protectorate. This has now been confirmed by Brunei’s Sultan, who has extended a moratorium on the death penalty to this legislation. [The Scoop]

International Relations, Geopolitics and Security in Asia

China-USA relations I: Washington slaps new tariffs and warns against Beijing's growing military efforts

(dql) Days ahead of what was believed to be the final round of Sino-US trade talks to reach a deal, President Donald Trump announced on Sunday an increase of tariffs on Chinese exports on which a 10% tariff has been slapped so far, to 25% on Friday this week, ending a period of frozen tariffs as part of a truce agreed upon by both sides in December. [CNN]

Trump's announcement was confirmed by Washington's chief negotiator Robert Lighthizer on Monday who accused China of breaking promises made during recently concluded discussions in Beijing. [South China Morning Post]

Further fueling the Chinese-US tensions, a State Department official last week controversially invoked race as a contributing factor for the Chinese-US rivalry stating that "[i]n China we have an economic competitor, we have an ideological competitor, one that really does seek a kind of global reach that many of us didn't expect a couple of decades ago. And I think it's also striking that it's the first time that we will have a great power competitor that is not Caucasian." [Newsweek]

Meanwhile, the US Defense Department in the 2019 China Military Power Report to Congress expects China to increase the number of its military bases around the world to protect its investments in the One Belt One Road initiative, with possible target locations for military basing in the Middle East, South-East Asia, and the Western Pacific. At the same time the report highlights the possibility of a strengthened Chinese military presence in the Arctic Ocean, including

deployment of submarines to the region as a deterrent against nuclear attacks. [DoD 2019 China Military Power Report]

The reference to the Arctic Ocean was echoed by US Secretary of State Pompeo in a speech ahead of a meeting of foreign ministers of the Artic Council in which he called the region “an arena of global power and competition” and warned of China’s attempts to establish a foothold in the polar region's affairs though infrastructure projects and commercial investments. He stated that "China's pattern of aggressive behavior elsewhere will inform how it treats the Arctic" and predicted corruption, low-quality investments, militarization, and "ecological devastation" as potential effects of Chinese influence in this region. [Aljazeera] [Radio Free Europe]

China-USA relations II: Chinese spies acquired NSA tools, used them to attack US allies, report says

(dql) According to the New York Times, leading US-American cybersecurity firm Symantec found evidence that Chinese intelligence agents were able to obtain US National Security Agency hacking tools in 2016 and repurposed them to attack American allies and private firms in Europe and Asia.

The Chinese hacking group that repurposed the technology is believed to have conducted attacks on some of the most sensitive US defense targets including space, satellite and nuclear propulsion tech manufacturers. [New York Times]

China rejects plans for a trilateral nuclear disarmament agreement with USA and Russia

(dql) On Monday, China publicly declared that it will not participate in talks with the USA and Russia on a trilateral nuclear disarmament agreement, citing China’s nuclear forces being at the “lowest level” of its national security needs, and not to be compared to the United States and Russia.

The statement comes after US President Trump revealed an earlier talk with Russian President Vladimir Putin last Friday about a potential three-way agreement. In April, Trump indicated his intention to

negotiate a major nuclear arms control deal with Russia and China follow his announcement of the US withdrawal from the Intermediate-Range Nuclear Forces Treaty in February. [Reuters] [Sputnik]

North Korea: Weapons tested

(dql) Last week North Korea test fired weapons from its Eastern coast. While the exact type of the weapons is still not identified, the weapons, according to a South Korean assessment, flew at a distance long enough to strike deep into South Korean territory.

The move is widely seen by analysts as a reflection of Pyongyang's frustration over stalled progress in the denuclearization talks with Washington and US President Trump's refusal to lift sanctions against North Korea. [CNN] [Bloomberg]

In response, Trump and Japan's Prime Minister Abe held a phone conversation following which Abe was quick to reassure their countries' unity with regards to North Korea's denuclearization as both leaders, according to Abe, "are completely on the same page that we will seek to have the agreement between the United States and North Korea (on denuclearization) implemented swiftly." [Japan Times]

Trump is expected top have a phone talk with South Korean President Moon on the same issue in this week, too. Both sides abstained from condemning the tests indicating efforts to keep the door open for negotiations with Pyongyang.

Japan: Advancing cyber defense technology

(dql) Japan Times cites unnamed sources according to which the Japanese Ministry of Defense will start the development of cyber weapons in form of malware to be used exclusively for self-defense. It is expected that government contractors complete the work by the end of the current fiscal year. According to the sources the malware will include viruses and backdoors, but the authorities abstained from disclosing further information about the capabilities of the program and the situations in which it will be involved. [ZD Net]

After the USA, the UK and Germany, Japan becomes the fourth country to formally recognize that it owns and develops cyber-weapons, whereas Israel, China,

Russia, North Korea, and Iran own, develop, and use cyber-weapons, but have never formally acknowledged it.

South Korea: Strengthening naval capabilities

(dql) In a move to enhance the country's naval capabilities, South Korea last week approved a 6.3 billion USD budget for the construction of three KDX-III Sejong the Great-class multi-purpose destroyers and three more indigenously designed KSS-III (Jangbogo–III-class) diesel-electric attack submarines (SSKs). The three more 7,600-ton destroyers will be equipped with American-made Aegis combat systems and sophisticated ballistic missile interceptors. The destroyers and submarines are expected to join the Republic of Korean Navy (ROKN) in the late 2020s. [The Diplomat]

Japan lodges protest over South Korea's inaction in wartime labor compensation cases

(dql) The wartime labor dispute continues to strain Japan-South Korea relations. In a latest development, Japan protested last week against what it views as inaction by the South Korean government to prevent Japanese corporate assets from being sold as part of a wartime labor dispute. The protest follows legal moves taken by a team of lawyers for South Koreans, who were awarded compensation from Japanese steelmaker Nippon Steel Corp. and machinery manufacturer Nachi-Fujikoshi Corp. over wartime labor, requesting a court to sell assets seized from these firms in South Korea.

While the Japanese Foreign Ministry insisted in the protest that Japan "absolutely cannot accept the wrongful sale of Japanese companies' assets" and demanded the South Korean Government to step in, the South Korean Foreign Minister expressed Seoul's wish not to interfere in these cases and justified Seoul's inaction arguing that South Korean citizens only exercise their rights. [Nikkei Asian Review] [Japan Times]

India looks to compensate after U.S. waiver program on Iranian oil purchases expires; U.S. mulls ending Indian trade privileges

(zf) Delhi recently stopped the purchase of Iranian oil after a U.S. waiver program that gave buyers limited maneuverability on Tehran-based imports expired on May 2nd. The waiver had been put in place to placate U.S. allies after the Trump Administration decided to reinstate sanctions on Iran and remove itself from the Iranian nuclear deal in 2018. This policy is based on the assumption that it will put economic pressure on Tehran and influence its nuclear and foreign policies.

However, U.S. policy on the matter remains isolated, limiting both the economic liability and diplomatic pressure the sanctions might generate. Indeed, the E.U., Germany, France, and the U.K. have all expressed concern on the U.S. decision not to renew the waivers and reiterated their displeasure with U.S. policy regarding its withdrawal from the nuclear deal (officially known as the Joint Comprehensive Plan of Action). [Bloomberg]

A new trade channel was even set up by Germany, France, and the U.K. after the U.S. exit from the treaty, emphasizing the willingness of other world powers to undermine U.S. leadership on the issue. [DW]

In a statement, a spokesman for India's foreign ministry said they are ready to compensate for the loss of Iranian oil. While the specifics of what that would mean in practice are still unclear, it was emphasized that India will look to get 'extra supplies from other oil producing countries.' [Reuters]

When asked for insight, the U.S.-based Brookings Institution emphasized that it is expected that most countries fall in line with the waiver expiration requirements, but cautioned that China and India might look to circumvent the sanctions by setting up a trading mechanism that allows them to trade in Iranian oil without U.S. financial institutions as an intermediary. [VOA]

Meanwhile, 24 U.S. lawmakers have sent a letter to the Trump Administration's trade representative urging him not to end trade privileges for Indian businesses in U.S. markets. The congressmen noted that ending the system known as the Generalized System of Preferences (GSP), which allows for duty free imports of up to 5.6 billion dollars of Indian goods coming into the U.S., "would impose hundreds of millions of dollars

annually in new taxes on American companies." While the Trump Administration has repeatedly threatened ending the trade privileges, it hasn't made an official decision on the matter as of yet. They claim that India has failed to reciprocate on trade policy with the U.S., claiming U.S. companies have a limited and narrow path to the Indian marketplace. Since the implementation of the GSP system, India is regularly viewed as the world's largest beneficiary. [Reuters]

But some analysts claim that ending the privileges will only hurt the U.S. consumer as increased import tariffs on a host of goods will directly impact the prices of those items. There are also concerns that retaliatory tariffs could undermine the competitiveness of U.S. companies more broadly. For these reasons, Delhi remains hopeful that the administration will be open to further negotiations. [Real Clear Markets]

Pakistan: Central bank governor dismissed amid IMF negotiations

(ls) Pakistan's government removed the governor of the State Bank of Pakistan, Tariq Bajwa, and the head of the tax authority because of their "performance" amid the nation's bailout negotiations with the International Monetary Fund (IMF). The removal of the two comes weeks after Finance Minister Asad Umar was asked to resign. While Prime Minister Khan has secured loans from Saudi Arabia, the United Arab Emirates and China to help boost foreign reserves, the negotiations with the IMF over a bailout have made only little progress. [Bloomberg]

China re-assures Cambodia in dispute with the EU

(jk) Following a five-day visit to Beijing, the Cambodian PM Hun Sen said that he was assured China would step in and help his county economically in case the EU goes through with its threat to withdraw from the "Everything but Arms" (EBA) agreement over democracy and human rights concerns.

The European Union announced in February that it would begin a process to decide whether to suspend duty-free preferences under the EBA deal for Cambodia, which Hun Sen has claimed is meddling in internal affairs.

China already is the country's largest foreign investor. In addition to the promised support, a US$89 million package for Cambodia's military and a preliminary contract for Huawei to develop a 5G network in Cambodia was agreed. [Bloomberg]

EU extends Myanmar arms sales embargo

(jk) The European Union extended a ban on selling arms, dual-use and other equipment that could be used for repression to Myanmar last week. These measures, as well as sanctions and against individual officials over their role in the Rohingya crisis are now planned to be in place until 2020. [DefensePost]

Indonesia detains 12 fishermen after clash with Vietnam in the South China Sea and continues to sink captured fishing vessels

(jk) Indonesia's navy said one of its vessels was rammed by two Vietnamese coast guard ships after intercepting a boat allegedly fishing illegally in Indonesian waters off the Natuna island chain. The incident occurred at the end of April. [ASEAN Post] The Foreign Affairs Ministry has summoned the Ambassador of Vietnam following the incident. Last Saturday, Indonesia began sinking 51 captured fishing vessels – mostly from Vietnam, but not as punishment for the recent clash at sea, but a continuation of its policy to deter illegal fishing, according to Indonesia's Fisheries and Maritime Affairs minister. Indonesia says it has sunk more than 500 illegal fishing vessels since October 2014.

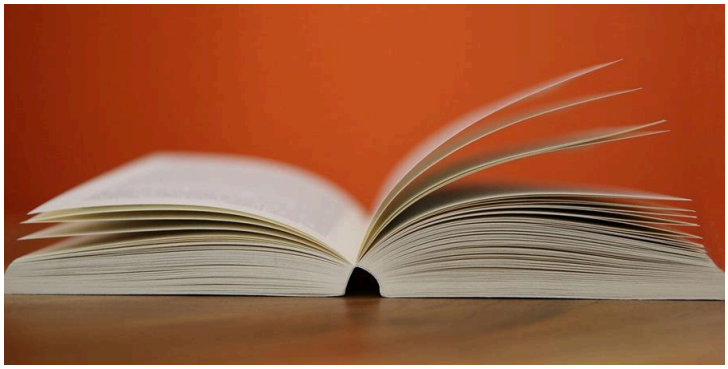
Vietnam takes a stance against Huawei

(jk) Many Southeast Asian countries are not heeding warnings issued chiefly by the US to tread carefully when exploring the future of 5G in their countries in partnership with Chinese tech firm Huawei. The Philippines, Thailand, Malaysia and recently Cambodia are all already involved or have stated intent to be involved with Huawei when it comes to developing a 5G network. [VoA, gizChina]

Vietnam on the other hand appears to have decide not to use any Huawei equipment at all due to economic

and security considerations. Among the reasons are the apparent distrust towards China and a strong sense not making oneself too vulnerable, a desire to develop an indigenous high-tech industry, as well as continuing the positive trend in US-Vietnam relations. [ISEAS]

Background Reading



How Narendra Modi changed the face of Indian foreign policy

(ls) A DW analysis argues that India has usually adopted a "non-aligned" foreign policy, but since Prime Minister Modi came to power in 2014, New Delhi has shown more assertiveness in international relations, particularly in its dealing with Pakistan. [DW]

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