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Asia in Review

No. 40, October/2019, 1

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Dear Readers,

Welcome to 'Asia in Review' (AiR).

Today, I want to take the opportunity to inform you that we are planning to change the outlook and format of the Asia in Review a bit. We would be happy about any feedback from you, our readers, on how you like the present form and what you would like to have changed. Feel free to share your opinion with us at this e-mail: info@cpg-online.de

Have a good read!

With the best wishes,

Henning Glaser

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Law and Politics in East Asia

China/Hong Kong: Violent protests ahead of PRC's 70th anniversary

(dql) Ahead of the 70th anniversary of the founding of the People's Republic on Tuesday, Hong Kong last weekend witnessed again violence and chaos, as police resorted to teargas, rubber bullets, pepper spray and water cannon to respond to protesters who threw bricks and petrol bombs and started street fires on Sunday. [Reuters]

According to South China Morning Post, over 100 protesters were arrested at this weekend, the 17th weekend of unrest which also marked the fifth anniversary of the start of the 2014 "Umbrella" protests. [South China Morning Post 1]

On Monday, police arrested three prominent activists suspected of conspiracy to storm Hong Kong's legislature building on July 1 which marked Hong Kong's return to Chinese rule in 1997. [South China Morning Post 2]

In a latest development, protesters took to the streets on Tuesday, calling for Oct. 1 to be designated a “Day of Grief”. [CBS News]

Earlier last Thursday, Hong Kong’s embattled Chief Executive Carrie Lam faced critical group of people at a public dialogue with some 130 people, initiated by the government as part of a series of meetings in an attempt to reconnect with society and mitigate public anger. Of the 30 participants given a chance to speak, about a dozen called for an independent inquiry into the police’s use of force while others urged the government to accept all five demands including, apart from independent inquiry, withdrawing of the extradition bill, retracting the classification of protesters as “rioters” in the context of the 12 July protests, amnesty for arrested protesters, and universal suffrage for both the Legislative Council and the Chief Executive. [Straits Times]

China: 70th anniversary of PRC founding celebrated with massive military parade

(dql) The Chinese government on Tuesday, Oct. 1, celebrated the 70th anniversary of the founding of the People’s Republic of China with a massive military parade in Beijing displaying the country’s latest military technology. The parade reportedly involved 160 aircraft and 580 pieces of military equipment, as well as 15,000 military personnel. [Xinhua 1] [Xinhua 2]

Among the showcased weapons was a new hypersonic ballistic nuclear missile of which analysts believe that it is capable of breaching all existing anti-missile shields deployed by the United States and its allies. [Aljazera]

Less spectacular was President Xi Jinping’s speech in which he expressed confidence that “today a socialist China stands rock-firm in the East of the world," and that "there is no force that can shake the position of our great country, no force that can obstruct the advancing of the People’s Republic of China.” He added that “on the path forward we have to adhere to the leadership of the Chinese Communist Party, [...], and comprehensively carry out and implement the Party’s fundamental theory, guidelines and strategy.” Addressing Hong Kong, Xi stressed that ‘one country, two systems’ must be strengthened and Hong Kong’s long-term prosperity and stability preserved.” [CNWest, in Chinese]

South Korea: Academia urges reform of prosecution in support of embattled Justice Minister

(dql) Embattled new Justice Minister Cho Kuk, who has been under heavy pressure over an ongoing investigation into nepotism involving member of his family [AiR No. 39, September/2019, 4], has received support from the country's academia for what is expected to be his signature policy: the reform of the prosecution. Over 4,000 academics at a press conference last week have called for a speedy reform under Cho's leadership to prevent the institution from continuing "wielding an absolute power in our society". [Hankyoreh]

In a related development, a mass gathering was arranged at the weekend in support of Cho's reform. According to the organizers, more than 800.000 people joint the rally, while estimated 1000 people joined a protest demanding Cho's resignation. [Yonhap]

Mongolia's parliament set to debate country's first whistleblower protection law

(dql) Transparency International (TI) has welcome Mongolia starting to debate in the parliament a draft law on whistleblower protection, submitted in 2016, as part of a reform of the country's anti-corruption law. At the same time TI has warned against attempts of the parliament to shrink space for political rights in Mongolia. [Transparency International]

Law and Politics in South Asia

India: States election dates announced

(jk) The two BJP-ruled Indian states of Maharashtra and Haryana will see assembly elections alongside a number of by-elections next month on 21 October. It will be the first election since PM Modi's huge win at the general elections earlier this year and will provide an indicator as to his popularity, in particular after the Jammu and Kashmir decision and his continued Hindu nationalist policies. [The Economic Times]

Jammu-Kashmir: Block Development Council elections on October 24

(td) In a first major test to the prevailing security situation in Jammu-Kashmir, the state's Chief Electoral Officer announced that elections for the chairpersons of Block Development Councils will be held on October 24.

The Block Development Council forms the second tier of the Panchayat Raj system. All the 23,629 panches and 3,652 sarpanches of the Panchayats will vote to elect the chairperson of the Block Development Council. There is a total of 316 blocks.

In 2018, Panchayat elections were held in nine phases — from November 17 to December 11 — in J&K. Kashmir's mainstream political parties, including the PDP and NC, had boycotted the elections. The top leadership of PDP and NC are currently under detention.

Home Minister Amit Shah said: "The decision on Article 370 will strengthen the unity and integrity of India," adding the situation in Jammu and Kashmir will be completely normal soon.

The Valley has been under a security clampdown since August 5 when the Centre modified the provisions of Article 370 to revoke the special status granted to Jammu and Kashmir by the Indian Constitution. J&K was also bifurcated and reduced to a Union Territory. (Indian Express)

Pakistan stops postal exchange with India

(td) People in Punjab on the Indian side have stopped receiving regular mail such as magazines, publications, and even letters which they used to get regularly from Pakistan via post. Due to the ongoing tension between India and Pakistan following the scrapping of special status for Jammu & Kashmir, Islamabad has now stopped the postal mail exchange between the two countries.

The deputy director general of the department of post of the Government of India confirmed that the written orders to stop mail via post were issued by the customs department of Pakistan last month. Since August 27, there has been no exchange of post between the two neighbours. (Indian Express)

Sri Lanka: Presidential polls to be held on November 16

(jk) The Election Commission has announced that the presidential polls will be held on Sunday 16 November with nominations expected by October 7. Currently, possible candidates include the incumbent President Maithripala Sirisena (who has however not said he would run again) and Prime Minister Ranil Wickremesinghe, as well as Housing Minister Sajith Premadasa, also from the ruling United National Front.

As reported previously [Asia in Review No. 33, August/2019, 2], the main opposition candidate is likely to be Gotabaya Rajapaksa, the brother of former president Mahinda Rajapaksa, who himself is not qualified to run for President but may have an eye on becoming PM. [Washington Post]

Before the route to nomination for Gotabaya Rajapaksa is free however, he faces a court test over his nationality by a three-judge panel that was set up earlier this week. Activists who petitioned the court to look into the matter claim that he did not properly obtain dual Sri Lankan citizenship in 2005, when he was a United States citizen after he renounced his

native citizenship of Sri Lanka a few years earlier. Since the "double-citizenship" process was flawed, as was his regaining of Sri Lankan citizenship, his citizenship is null and void which would make him not eligible for the presidency. [Reuters] The Court of Appeal has decided to hear the petition later this week.

Law and Politics in Southeast Asia

Indonesia: Massive student protests against draft criminal code and new KPK legislation

(ls/td) In Jakarta and other Indonesian cities, thousands of students have taken to the streets and occupied local parliaments to protest against the draft criminal code that would include outlawing extramarital sex and a controversial new law that could weaken the nation's anti-corruption body. It was the biggest student protest in decades. Police fired teargas and water cannon to disperse the demonstrators. One student died in Kendari city on Sulawesi island, where the local parliament was torched. Passage of the controversial changes has now been delayed. [New Straits Times]

Updating Indonesia's Dutch colonial-era criminal code has been debated for decades and appeared set to pass in 2018 before momentum dried out. Among a series of contentious articles are those that would outlaw adultery, unmarried couples living together, as well as make insulting the president a criminal offence that could carry a jail sentence. [The Guardian]

In response to the protests, Indonesian President Joko Widodo said on Thursday he was considering revoking the new law governing the country's Corruption Eradication Commission (KPK). The law creates a committee to oversee the agency and limits the agency's freedom to wiretap suspects. The KPK has prosecuted hundreds of politicians, officials and businessmen since its formation in 2002, becoming one of the country's most respected agencies. [Channel News Asia]

Indonesia: New unrest in Papua as new joint defense commands take shape

(ls) New unrest has erupted in Indonesia's Papua region. More than 30 people were killed and dozens injured in riots, with some victims burned to death in buildings set ablaze by protesters. 16 people died in Wamena city where hundreds demonstrated and burned down a government office and other buildings. Papua, on the western half of New Guinea island, has seen weeks of violent protests fueled by anger over racism and calls for self-rule. [The Star]

Residents of Wamena city have been fleeing the city amid rumors that there will be a military deployment to prevent further turbulence in the area. The Papua Police said the unrest was triggered by "baseless information" about a teacher who allegedly used a racial slur against a student. [Jakarta Post]

Meanwhile, the Indonesian government has appointed the chiefs for three new joint defense commands (Kogabwilhan). They are equipped with naval, air and army assets. Each Kogabwilhan will be responsible either for the country's western, central or eastern parts. One of the three command centers is established in Biak, Papua. The eastern command in Balikpapan, East Kalimantan, is expected to support Indonesian efforts to assert its sovereignty over an area north of the Natuna Islands following encroachments by Chinese and Vietnamese vessels. [Straits Times]

Indonesia: Indonesian police arrest hundreds linked to forest fires

(td) Indonesian police arrested 230 people on suspicion of starting some of the fires which have spread health-damaging haze across a large part of Southeast Asia. Those arrested could be prosecuted

under an environmental protection law that provides for a maximum 10-year prison sentence for setting fires to clear land. [The Independent]

Philippines: Steep rise in killings of land activists

(ls) In the Philippines, murders of environmental activists and land defenders have risen sharply since President Rodrigo Duterte took office. According to information from the NGO Global Witness, the toll was at least 113 since Duterte became president in mid-2016, while no fewer than 65 were killed in the three years before his rule. The report refers to a serious of incidents, also involving disputes over land that is used to grow fruit for multinational companies. [Straits Times]

Thailand to open "fake news center" as Southeast Asia tightens duties for social media platforms

(ls) Thailand will open its first anti-fake news center by 1 November 2019. According to Minister of Digital Economy and Society Buddhipongse Punnakanta, the center will function to combat unverified news circulating on social media platforms. For that purpose, the center will receive requests and notifications from the public, verify facts and disseminate an "accurate picture" to the public via a new website, Facebook and the Line chat application. The center's personnel will come from ministry staff, state enterprise personnel, civic groups, university staff and the Thai Journalists Association. [Straits Times]

The move comes after Thailand's telecom regulator, in a late-August meeting with regional counterparts, proposed that all 10 members of the Association of Southeast Asian Nations (ASEAN) require internet and streaming video firms to set up domestic "verification centers" to combat fake news. The opposition raised questions about the government's impartiality in carrying out this task. [Khaosod English]

Following Thailand's initiative earlier this year, Southeast Asian governments are jointly preparing steps to take on global tech giants on fake news issues. These include an effort by Indonesia to join forces with Thailand, Vietnam and the Philippines in demanding action from Google, Facebook and other companies on content regulation and tax policy. Officials in

Cambodia, Indonesia and the Philippines said fake news was a core national concern. ASEAN countries also discuss the feasibility of content reviewing mechanisms, where if one country decided that something amounts to disinformation, the social media company would remove it altogether and not just block it locally. [Reuters]

Singapore's Law and Home Affairs Minister K. Shanmugam last week emphasized the threat of foreign interference by disinformation. He said that this may pose a graver danger than conventional military force in destabilizing a country. The Singaporean government is planning new legislation to give it powers to "make targeted, surgical interventions, to investigate and respond expeditiously to hostile information campaigns". In his speech at RSIS, K. Shanmugam made specific reference to the independent news portal New Naratif, which has been outspoken against the government in matters of freedom of speech. [South China Morning Post 1] [Ministry of Home Affairs]

Ahead of elections that are expected to be called soon in Singapore, Facebook announced that any person advertising in Singapore about elections and politics on Facebook or its Instagram app will now have to first confirm their identity and location and disclose who is responsible for the ad. [South China Morning Post 2]

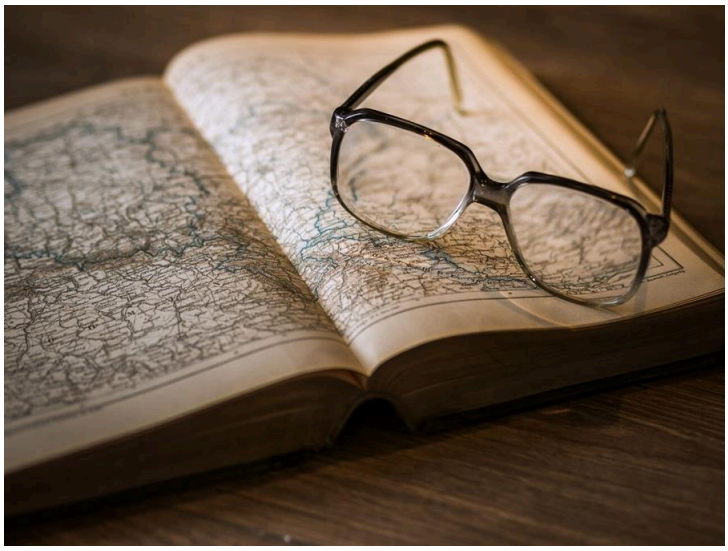
Rights groups and journalists have repeatedly pointed to Southeast Asian governments themselves as sources of fake news as well as to the dangers for free speech stemming from anti-fake news laws. [The Atlantic]

Thailand: MP is found guilty of murder

(ls) In Thailand, a member of parliament for the Pheu Thai party has been found guilty of murder. The Khon Kaen provincial court sentenced Nawat Tohcharoensuk to death for masterminding the murder of an assistant chief of the Khon Kaen provincial administration organization in 2013. Though the constitution is clear that criminal convictions bar persons from being MPs, the Constitutional Court is expected to clarify whether the MP is banned immediately or only after

International Relations, Geopolitics and Security

in Asia



China-USA trade relations: Fierce verbal sparring at the UN General Assembly, conciliatory steps on ground

(dql) Ahead of expected high-level face-to-face trade talks this month, China and USA fired against each other in a heated verbal exchange at the UN General Assembly last week. While US President Trump accused China of breaking promises when it joined the World Trade Organization in 2001 and of unfair trade practices including “massive market barriers, heavy state subsidies, currency manipulation, product dumping, forced technology transfers and the theft of intellectual property and also trade secrets on a grand scale”, Chinese Foreign Minister Wang Yi countered that “[t]ariffs and provocation of trade disputes, which upset global industrial and supply chains, serve to undermine the multilateral trade regime and global economic and trade order,” adding that “China will not ever be (cowed) by threats, or subdued by pressure." [Reuters] [Straits Times]

At the same time, China’s Ministry of Commerce confirmed that China has resumed the purchase of US farm goods with tariffs on those imports to be waived, in response to the Trump administration’s earlier decision to exempt many Chinese products from tariffs imposed in 2018. Both sides also confirmed that they are in close communication over the upcoming trade talks. [CNBC 1]

In a latest development, the White House dismissed reports about Washington considering delisting Chinese companies from United States stock exchanges as "fake news". [CNBC 2]

China: Mixed views on the Middle Kingdom around the world

(dql) According to a new research by the Pew Research Center in Washington, D.C., released on Monday, the views of China by people around the world are mixed. While a median of 41% in a total of 32 countries covered by the Center's Global Attitudes Survey expressed a favorable opinion of China, a median of 37% stated an unfavorable opinion.

Highest percentages of 'unfavorable' views of China are recorded for Japan (85% of survey respondents), Sweden (70%) and Canada (67%), while highest 'favorable' results are found in Russia (71%), followed by Nigeria (70%) and Lebanon (68%).

The survey was conducted with close to 35,000 people between May 13 to Aug. 29, 2019. [Pew Research Center]

Cross-Strait relations: Taiwan's ruling party reassures rejection of Beijing's "one country, two systems" formula

(dql) Ahead of the presidential and legislative elections in Taiwan in January, in which the relationship to China is expected to play a decisive role, the ruling Democratic Progressive Party (DPP) passed a resolution during its annual national congress on Saturday, which reaffirms the party's rejection of China's "one country, two systems" formula. Chinese President Xi Jinping reiterated this formula in his speech on the occasion of the celebration of the 70th anniversary of the founding of the PRC on Tuesday. [Focus Taiwan]

Meanhwile, China and Kiribati have established diplomatic relations, days after the Pacific island nation cut its links with Taiwan. [South China Morning Post] [AiR No. 39, September/2019, 4]

Japan: China listed as bigger threat than North Korea in latest Defense White Paper

(dql) In its Defense White Paper 2019, released last week, Japan's Defense Ministry called "Chinese military developments [...] a serious security concern" referring to China's "unilateral, coercive attempts to alter the status quo based on its own assertions that are incompatible with existing international order" while at the same time "strengthening capabilities in the domains of space, cyberspace and electromagnetic spectrum in addition to nuclear, missile, naval and air forces." The White Paper places China ahead of North Korea, which constitutes "a serious and imminent threat to the security of Japan," while "Russia's military activities are trending upward in the Far East" to which "[c]ontinued attention needs to be paid." [Ministry of Defense, Japan]

Japan-European Union relations: Tokyo and Brussels sign infrastructure to counter China

(dql) In a move widely seen as a measure to counter China's Belt and Road initiative, Japan and the European Union last week signed an infrastructure deal centering at coordinating their repesctive transport, energy and digital projects across the globe. The agreement, believed to be backed by a 65 billion guarantee fund, development banks and private investors, calls for "transparent procurement practices, the ensuring of debt sustainability and the high standards of economic, fiscal, financial, social and environmental sustainability". [Reuters] [EEAS]

Japan-South Korea relations: South Korean fighter jets conduct patrol flight over disputed islets

(dql) Amid strained relations between Japan and South Korea, South Korean fighter jets on Tuesday flew a patrol over disputed islets called Dokdo in Korea and Takeshima in Japan, which are controlled by Seoul but claimed by both. The move risks to worsen the already frosty relations. [Reuters]

In the Defense White Paper 2019 of the Japanese Defense Ministry (see entry above), Japan upheld claims on the Dokdo islets.

Japan and South Korea have been locked in a worsening diplomatic and trade dispute which originate from wartime history and disagreements

over compensation for South Korean victims of forced labor during Japan's 1910-1945 occupation of Korea.

India-US to hold tri-service "Tiger Triumph'' Exercise in November

(jk) At the recent 'Howdy, Modi!' rally in Houston, Texas President Modi and US President Trump focused on the two countries' defence relationship as Trump pointed to US arms sales to India to have reached around USD 18 billion over the past decade. He further announced that the United States and India will "demonstrate a dramatic progress of our defence relationship" by holding the "first-ever tri-service military exercise" in November. [Hindustan Times] While this is the first Army/Navy/Air Force exercise between the two countries, India has previously trained in a similar exercise with Russia. [NDTV]

The US and India also just concluded the joint military training exercise "Yudh Abhyas", one of the largest joint military training and defence corporation trainings between India and the US. [Economic Times]

PM Modi meets with leaders of Pacific Island and neighbouring countries

(td/jk) Prime Minister Modi met with leaders of the Pacific Island countries on the 74th United Nations General Assembly (UNGA) session in New York and demonstrated India's commitment to advancing their development priorities. The meeting was attended by the heads of delegations of Fiji, Republic of Kiribati, Republic of Marshall Islands, Federated States of Micronesia, Republic of Nauru, Republic of Palau, Independent State of Papua New Guinea, The Independent State of Samoa, Solomon Islands, Kingdom of Tonga, Tuvalu and Republic of Vanuatu.

The leaders deliberated on a wide range of issues, including sharing of development experiences for attainment of sustainable development goals, enhancing cooperation in renewable energy, joining the newly-launched Coalition for Disaster Resilient Infrastructure, capacity building, implementation of projects under the India-UN Development Partnership Fund and a roadmap for future India-PSIDS cooperation.

During the meeting, Modi emphasised that India and the PSIDS had shared values as well as a shared future,

and highlighted the need for development policies to be inclusive and sustainable to reduce inequality and contribute to empowerment and improvement of the quality of people's lives. He said India was equally committed to tackle the impact of climate change and supported the efforts of the PSIDS to achieve their developmental goals through necessary developmental and technical assistance. Modi also underlined the reality of climate change and called for increasing the share of renewable energy in the total energy mix to mitigate many adverse effects of climate change. (News 18)

On the sidelines of the UNGA in New York, Modi also met Bhutan's PM, for fourth time in a year and following his recent visit to Bhutan in August and Sheikh Hasina of Bangladesh. They reviewed their bilateral relationship and agreed to maintain the momentum to take the India-Bangladesh relationship to new heights. [NDTV] [India Today]

Turkey begins construction of naval warship for Pakistan

(jk) Pakistan has signed a contract over four navy vessels to be bought from Turkey earlier in 2018. The Pakistan navy has witnessed Turkish President Erdogan last week attending a ceremony marking the beginning of the construction of the first of the new naval warships for Pakistan. [Geo]

South China Sea: Statements at UNGA and related developments

(ls/td) At the United Nations General Assembly, Vietnam voiced its concerns over the recent developments in the South China Sea, including incidents that Vietnam considered infringements of the country's sovereignty. Vietnamese Foreign Minister Pham Binh Minh said that relevant states should exercise restraint and refrain from conducting unilateral acts. [Bloomberg]

At the same time, the Philippines' Foreign Affairs Secretary Teddy Boy Locsin Jr. referred to a Code of Conduct (CoC) to cover disputed waters of the South China Sea which is targeted for signing in 2022 by ASEAN member states and China, as "a manual for living with a hegemon, or the care and feeding of a dragon in your living room. (...) even a good [CoC] is still a Chinese code of conduct." At the same time,

Locsin praised a “rock-solid relationship” between the US and the Philippines. [PhilStar]

Meanwhile, Singapore and the United States formally renewed an agreement of 1990, renewed once in 2005, that grants U.S. forces access to Singapore’s naval and air bases. It now runs until 2035. Despite a strong military relationship, the two countries do not refer to each other as “allies”. Neither do defense officials refer to U.S. facilities in Singapore as American bases. [South China Morning Post]

Deportations of Cambodians from the United States on the rise

(ls) As dozens of Cambodians with criminal convictions are about to be removed from the United States, Asian American groups are objecting to the Trump administration’s efforts to step up deportations of Cambodians. The deportations have been happening since about 2002, when Cambodia agreed to begin repatriating refugees convicted of felony crimes in the U.S. But they have risen by about 280% since Donald Trump took office and imposed visa sanctions on Cambodia and a handful of other nations in order to compel them to speed up the process. [Voice of America]

Mahatir calls for global support in Rohingya refugee crisis

(ls) At the sidelines of the United Nations General Assembly in New York, Malaysian prime minister Mahathir Mohamad criticized the U.N. for its “deafening silence” on the Rohingya crisis. He pointed to Myanmar’s failure to punish the perpetrators of the genocidal acts and said that it was unrealistic to expect Rohingya people to return to Myanmar without the guarantee of a safe environment for repatriation and without offering them full citizenship. “It is clear that the Myanmar government is unwilling to take any action to resolve the crisis”, Mahatir said.

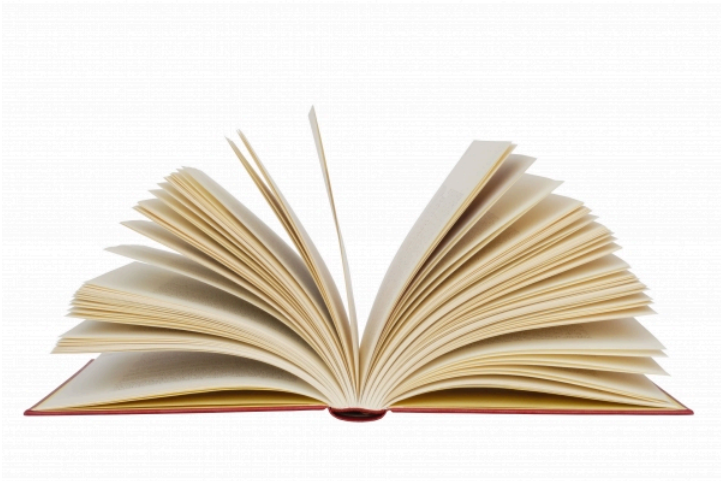
He called on the United Nations member states to support Bangladesh which is hosting more than one million Rohingya refugees. Though ASEAN countries pursue a policy of non-interference with internal affairs, Mahatir has repeatedly referred to Myanmar’s military campaign against the Rohingya as a genocide and called for criminal prosecution. [MalayMail]

Myanmar, for its part, insisted that it wants Rohingya Muslim refugees who fled to neighboring Bangladesh repatriated to their former homes so they can live in a "more conducive environment" than the one they left, according to Myanmar's minister for the office of the state counsellor in his nation's address at the United Nations General Assembly. [Straits Times]

Thailand buys attack helicopters from the United States

(ls) The Royal Thai Army is set to acquire a new fleet of eight AH-6I Little Bird light attack and reconnaissance helicopters from the United States. The deal is worth 400 million dollars. The sale follows the purchase of 60 Stryker infantry carrier vehicles in July. Thailand purchases military material from different countries. Earlier this month, the Royal Thai Navy signed a contract to procure a new landing platform dock ship from China in a deal reportedly worth about 200 million dollars. [Khaosod English]

Background Reading



The political economy of social media in Vietnam

(ls) Unlike China where most Western social media platforms are blocked, Vietnam adopts a relatively open approach to these platforms. The Vietnamese government tends to accommodate Western social media platforms by trying to enforce their compliance with local rules through regulatory and economic means rather than blocking them altogether. This

instructive piece from ISEAS describes the political economy of social media in Vietnam. [ISEAS]

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