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

Get the pattern, read the trend

Asia in Review

No. 3, January/2020, 3

Brought to you by CPG

Dear Readers,

The AiR team is presenting you the third issue of 'Asia in Review' (AiR) in January with the latest important events and developments in geopolitics and international relations as well as constitutional politics, law reform and governance in Asia.

I wish you an informative read.

Henning Glaser

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

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

Main Sections

- Law and Politics in East Asia
- Law and Politics in South Asia
- Law and Politics in South East Asia
- International Relations, Geopolitics and Security in Asia

- Background Reading

Law and Politics in East Asia

China/Hong Kong: Blueprint for independent inquiry into protests submitted to Lam

(dql) Last week, Hong Kong's Bar Association provided Executive Chief Carrie Lam with a blueprint for the creation of an independent inquiry into the unrest of the past seven months. The blueprint calls for the inquiry to involve police, activists and members of the public and to cover 15 major protests and review ten specific areas of concern, including the use of force by both police and protesters. [Hong Kong Bar Association] [South China Morning Post]

An independent inquiry into alleged excessive force of the police during the protests is among the core demands of the protesters which Lam has so far refused to meet.

A rally on Sunday, attended by thousands of people demanding universal suffrage in the Legislative Council election in September and calling for international support for their cause, ended in clashes between protesters and police after. [CNBC]

China a "Global Threat to Human Rights", HRW says

(dql) Released last week, Human Rights Watch's "World Report 2020" has made China the centerpiece of the review of human rights practices and trends in 95 countries, as among those "the Chinese government stands out for the reach and influence of its anti-rights efforts." China is accused of operating "an Orwellian high-tech surveillance state and a sophisticated internet censorship system to monitor and suppress public criticism" within China and of an "global assault on human rights" abroad, involving in its cause "willing accomplices" including "dictators, autocrats, and monarchs", but also "governments, as well as companies and even academic institutions, that are ostensibly committed to human rights but prioritize access to China's wealth." [Human Rights Watch]

In another report, Freedom House has called on democratic governments to impose penalties on Chinese officials and tighten broadcast regulations amid a "dramatic expansion" in Chinese actions taken to exert influence media overseas. [Reuters]

Beijing rejected both reports, saying that they were "invariably filled with distortion of facts," and insisting that human rights in China were "at its historical best". [Ministry of Foreign Affairs, China]

China: Lowest birth rate in seven decades

(dql) With around 14.65 million newborns in 2019, China's birth rate dropped last year to its lowest level since the founding of the People's Republic in 1949. The data released by China's National Bureau of Statistics have fueled concerns over the economic and social impacts of an ageing society and shrinking workforce.

In 2015, the Chinese government ended its one-child policy, allowing couples to have two children. However, hopes for an increase in the number of newborns has not materialized, as births have now fallen for three consecutive years after a slight increase in 2016. [BBC]

For data and perspectives on the global dimensions of aging populations, see [Visual Capitalist], which presents Japan as one the three countries with the oldest population and South Korea as one of the fasting aging OECD countries.

China: Anti-plastic campaign announced

(dql) China, the world's largest plastic producer, is taking steps to reduce the country's consumption of single-use plastic. According to plans of China's National Development and Reform Commission and Ministry of Ecology and Environment, plastic bags will be banned in places such as supermarkets and shopping malls in major cities by the end of 2020 and in smaller cities and towns by 2022, while markets selling fresh produce will be exempt from the ban until 2025. Other regulations include the nationwide ban of non-degradable, single-use plastic straws by the end of 2020, as well as the prohibition of the usage of non-degradable packaging for some delivery services in major cities including Beijing and Shanghai by 2022, to be extended to the whole country by 2025. [Bloomberg] [Reuters]

China: Former Chinese Interpol chief sentenced lengthy prison term

(dql) In a high-profile corruption case, Meng Hongwei, the former head of Interpol, was sentenced to thirteen and a half years in jail for receiving bribes amounting 2.1 million USD and for abusing his former official positions between 2005 and 2007.

In the frame of President Xi Jinping's anti-corruption campaign, which is seen by analysts also as a measure to remove political rivals, more than one million officials have been convicted. [Deutsche Welle]

Taiwan: Leadership of defeated KMT resigns en masse

(dql) Taking responsibility for the main opposition Kuomintang's defeat in the presidential election and results in the legislative election, which failed to meet the party's own expectations, the party's leadership last week resigned en masse, including the party's Chairman, Vice Chairmen, Secretary General and Deputy Secretary General. [Focus Taiwan 1]

In a related development, Acting Secretary-General Tseng Ming-chung announced that the KMT will undergo reform "and will come out as soon as possible with new approaches and strategies for reform." He also said that the party will be open for views on scrapping the "1992 consensus" formula which the KMT has long advocated as a basis for interaction with China, but has now come under pressure after President Tsai Ing-wen has won the presidential

election with a robust anti-1992 consensus campaign. [Focus Taiwan 2]

Meanwhile, the Central Election Commission (CEC) has confirmed that the campaign to recall defeated KMT presidential candidate Han Kuo-yu from his post as Kaohsiung City Mayor has cleared its first of three hurdles, securing more than the required number of signatures from eligible voters in the southern city, or 1 percent of the eligible voters in the previous mayoral election. [Taiwan News]

Law and Politics in South Asia

India: State of Kerala challenges citizenship law in Supreme Court

(ls/tk) In the ongoing tensions about India's recently enacted Citizenship (Amendment) Act (CAA), the southern state of Kerala has filed a petition with the Supreme Court, asking to review the constitutionality of the Act. The Kerala government argues that the Act violates the secular nature of the Indian constitution and accused the central government of dividing the nation on religious lines. A number of Indian states have already said that they will not implement the law. Besides Kerala, these include West Bengal, Punjab, Rajasthan, Madhya Pradesh as well as Maharashtra. [Al Jazeera]

Kerala's petition has been filed under Article 131 of the Indian Constitution which empowers the Supreme Court to hear disputes between the government of India and one or more states. The petition states that the CAA violates the right to equality under Article 14 of the Constitution, the right to life under Article 21

and the freedom to practice a religion under Article 25. 60 petitions filed by individuals and political parties challenging the validity of CAA are already pending before the Supreme Court. [Hindustan Times]

An analysis published on the Lawfare blog establishes a connection between the CAA and another important and related piece of legislation, the 2003 amendment of the Citizenship Act, aiming to create a National Register of Citizens (NRC). The NRC will require every individual across India to demonstrate that they are Indian citizens through certain specified documents, which will be difficult for certain poor and marginalized groups. The author argues that the new CAA might be strategically used to protect (presumably Indian) individuals from six non-Muslim religions who may be excluded from Indian citizenship under the NRC. Thus, a loophole would be created for individuals who are from one of the six non-Muslim religions and have been designated as noncitizens under the NRC process. They could then seek citizenship through the recently passed CAA. [Lawfare]

For another recent analysis of the CAA's legal and political consequences, see also [The Diplomat].

India: New BJP president

(ls) India's ruling Bharatiya Janata Party (BJP) elected Jagat Prakash Nadda, a veteran lawmaker and long-time associate of Prime Minister Narendra Modi, to become its president. He replaces Amit Shah. One of Nadda's main tasks will be to increase the party's profile in several states ahead of a string of elections. Since late 2018, the BJP has lost control of the western states of Rajasthan and Maharashtra, Jharkhand in the east and Chhattisgarh in central India. Since its national election victory last year, Modi's government has made a number of controversial decisions, removing special provisions on the disputed Kashmir region, gaining legal approval for building a temple at a contested site in the northern city of Ayodhya, and introducing the new citizenship law. [Reuters] [Hindustan Times]

Sri Lankan president says that thousands of missing Tamils are dead

(ls) In a widely reported statement, new Sri Lankan president Gotabaya Rajapaksa said that more than 23,500 people who were missing for a decade since the

end of the country's protracted Tamil war are dead. Rajapaksa himself was defense secretary at the time when many of these disappearances took place. In his statement, he claimed that of the thousands of disappeared most of them had been conscripted by the Liberation Tigers of Tamil Eelam (LTTE) which was defeated in a major offensive that ended in May 2009. [Tamil Guardian]

A government-appointed commission established in August 2013 received 23,586 reports of people missing throughout the separatist war. International rights groups claim that at least 40,000 ethnic Tamil civilians were killed in the final stages, but the government has disputed the figures. Under current law, families cannot access property deeds, bank accounts or inheritances left by missing relatives unless they can conclusively prove they are dead, which is often an impossible task. [Straits Times]

Sri Lanka: Concerns about serious jeopardy of human rights

(tk) After Gotabaya Rajapaksa's election as president in November 2019, human rights organizations see fundamental human rights in Sri Lanka in serious jeopardy. Human Rights Watch states: "There is every reason to fear that any progress Sri Lanka has made in recent years in restoring basic rights and rebuilding democratic institutions will be overturned with a vengeance. The new president seems intent not only to wipe away the Rajapaksa's past abuses but clear the path for future ones." [Human Rights Watch]

Also Amnesty International is concerned by multiple reports of harassment, intimidation and attacks on human rights organizations, media outlets and journalists by officials and law enforcement agencies in the last years. According to Amnesty International, such incidents create fear in organizations and individuals defending and promoting human rights and can have a negative impact on their work. However, Sri Lanka has the obligation to protect Human Rights Defenders under several international human rights treaties to which it is a state party. [MENAFN]

Pakistan: Chief of Army Staff's term extended

(ls) Pakistan's lower and upper houses have passed amendments of the Army Act of 1952 along with the

Pakistan Air Force Act of 1953 and the Pakistan Navy Ordinance of 1861 earlier this month. These amendments extend the term of the Chief of Army Staff (COAS), currently Qamar Javed Bajwa. From now on, every COAS will enjoy a six-year term, more than an elected representative of the country. A piece in the Asia Times gives additional historical background. [Asia Times]

Pakistan: Repression of media, opposition and NGOs intensified in 2019

(ls/fs) Human Rights Watch said in a report last week that Pakistan's government intensified repression of the media, political opposition and nongovernmental organizations in 2019. The organization cites several cases of restrictions of freedom of expression and the press, denial of due process and fair trial rights, detention without charge and extrajudicial killings. [Human Rights Watch]

Moreover, the Council of Pakistan Newspaper Editors (CPNE) issued its Pakistan Media Freedom Report for 2019. According to the report, at least seven journalists were murdered, 15 injured in the line of duty and 60 imprisoned on the legal basis of the Anti-Terrorism Act (ATA) of 1997. The biggest threat for the lives of journalists are non-state actors and outlawed militant groups.

The report also depicts the involvement of Pakistan Electronic Media Regulatory Authority (PEMRA), barring specific TV anchors from appearing on talk shows or issuing notices to TV channels to direct their medial output. Specifically mentioned is the misuse of the 2016 Prevention of Electronic Crimes Act (PECA). Although being adopted for fighting cyber-crimes and explicitly not to be used against journalists and media, the act is nowadays applied restricting the freedom of expression and media. In the World Press Freedom Index, Pakistan ranks 142 out of 180 countries. [Daily Times] [Pakistan Observer]

Meanwhile, a Pakistani court has sentenced 86 members of a radical Islamist Tehreek-e-Labbaik party to 55-year prison terms each for taking part in violent rallies in 2018 over the acquittal of Asia Bibi, a Christian woman, in a blasphemy case. The convicted persons were charged with damaging public property, beating people up and disrupting normal life by staging sit-ins. A party representative announced an appeal against the verdicts, which are unusually harsh even according to Pakistani standards. [The Diplomat]

Bangladesh's authoritarian shift

(ls/tk) An article in the East Asia Forum describes the rising level of authoritarianism in Bangladesh. It argues that the absence of a forceful opposition, a lack of oversight of the parliament and no accountability mechanisms have accentuated abuses of power by the executive. In addition, the author writes that a culture of impunity permeates the rank and file of the ruling party; its activists are engaged in extortion, torture and illicit activities. More signs of authoritarian politics are given in the text. [East Asia Forum]

On Thursday, a Bangladesh court issued an arrest warrant for country's most respected independent newspaper editor after a student was fatally electrocuted in November at an event organized by a magazine published by a sister publication. He and nine others – amongst them an associate editor of the Bengali-language newspaper – have been charged with causing death by negligence. Rights groups have accused the government of cracking down on dissent through newly enacted internet laws that experts say would make investigative journalism almost impossible. [Asia Times]

In addition, news broke last week that some Members of Parliament, both from the ruling Awami League as well as from an opposition party, demanded in parliament that rape suspects be eliminated through extrajudicial killings. The remarks came in the wake of a rise of incidents of sexual violence against women. [BDNews24]

According to research by a non-government organization, the ratio of guilty verdicts given against offenders in rape cases remains low. Data compiled from official government records show that more than 4,000 rape incidents took place in six districts of the country between 2011 and 2018. Out of those, a total of 1,283 cases have been disposed of and only five offenders received punishment. [Asia Times]

Nepal: Struggle over position of House Speaker

(ls) In Nepal's House of Representatives, the post of the Speaker has been vacant since the former Speaker was arrested on charges of rape of a parliamentary colleague in September. Nepal's Constitution requires that the Speaker and deputy must be of different

parties and different genders. They are supposed to resign from their political parties so that they can lead the parliament impartially. The current deputy speaker is Shivamaya Tumbahangphe who was a member of the ruling Nepal Community Party (NCP), which wants her to resign: The NCP cannot contest the process of Speaker election as long as she is the deputy. However, women's rights activists and politicians have termed the NCP's demands discriminatory. The topic is followed closely throughout the country. [Nepali Times]

The level of discrimination against women in Nepal's society and in the legal profession are described in an article published in [The Diplomat].

Law and Politics in Southeast Asia

Thailand: Constitutional Court decides not to dissolve Future Forward Party

(jk) On Tuesday, Thailand's Constitutional Court decided that there is not enough evidence to rule the Future Forward Party (FFP) had conspired to overthrow the monarchy and therefore to disband the party.

The petition the court ruled upon alleged that FFP works towards overthrowing the monarchy based on speeches given by its executives and the fact that the party charter refers to "democratic principles under the constitution", rather than to "a democratic regime of government with the King as head of state", which is the official designation of the Kingdom under its constitution. In addition, the petition also included more obscure allegations, such as a connection

between FFP and the Illuminati which was based on similarities some saw in the respective logos. [Bangkok Post]

While proponents of FFP will be pleased with this verdict, the legal challenges for the party are far from over as it is still facing a very real risk of dissolution. Another petition - filed by the Election Commission of Thailand in December last year - alleges misconduct in receiving money in form of a donation in violation of Thailand's Political Parties Act. [Asia in Review, No. 51, December/2019, 3]

Singapore: First steps in SDP's POFMA appeal

(fs) The appeal process against the corrections of two Facebook posts of the Singapore Democratic Party (SDP) due to the Protection From Online Falsehoods and Manipulation Act (POFMA) [Asia in Review No. 51, December/2019, 3][Asia in Review No. 1, January/2020] started off with a setback for the appellant. The SDP's application to hear the argument in an open court, where the public and media can attend, was turned down by the judge as a public hearing warrants a "special reason" which is not apparent in this case. [The Straits Times 1]

The SDP secretary-general, who represented SDP in court, expressed his discontent about the judge's decision, calling it "very disappointing" and referred to the "immense public interest" in the case which should be reason enough for the case to be heard in an open court. [Channel News Asia]

The SDP's appeal bases on the assertion that in the case at hand, the party only gave "reasonable interpretation" of data which was made publicly available made by the Ministry of Manpower (MOM), and therefore POFMA's requirement of "obvious, deliberate falsehood" is not met. [The Straits Times 2] [The Online Citizen]

Vietnam: Viettel announces own 5G services

(fs) The country's largest telecommunication provider will develop network equipment and software to launch its own 5G network. The military-owned company will both develop civilian and military network services.

The decision can be seen as a sign of Vietnam's effort to bypass China and its leading telecommunication company Huawei, consequently giving in to the pressure it has received from the U.S. about boycotting Huawei for reasons of national security. Viettel has more than 110 million customers in Southeast Asian countries Myanmar, Cambodia and Laos. [Financial Times]

Myanmar: Thousands of workers rally for higher minimum wage

(tk) On Sunday, nearly 10,000 garment workers from 20 labor organizations in Yanong took the streets to demand an increase of the minimum wage from currently K4800 to K9800 ($6.66) ahead of the review of the country's new minimum wage law. According to the Minimum Wage La, that rate is to be defined every two years. In 2018 the minimum wage was set at K4800, but prices of rice and accommodation are rising. The chief organizer of the Solidarity Trade Union of Myanmar said a worker needs a minimum wage of about K8000 for eight work hours per day to be self-sufficient and be able to provide the minimum needs of his family. [Myanmar Times]

Myanmar: UN Rohingya Genocide Case Court Ruling Set for Next Week

(tk) The West African nation of Gambia asked the International Court of Justice last month for an immediate court order claiming a breach of the Genocide Convention by the "security operations" between 25 August and 5 September 2017 by the military against the Rohingya Muslim minority in Myanmar. [Myanmar Times] Gambia accuses Myanmar of a deliberate campaign of ethnic cleansing and genocide – including the killings of civilians, raping of women and torching of houses – that forced more than 700,000 Rohingya to flee to neighboring Bangladesh. Myanmar defended the actions saying they were a tragic consequence of hostilities started by Rohingya insurgents. [The Diplomat]

An international panel set up by the Malaysian government to probe accusations of human rights abuses said in its report on Monday, it found that war crimes had been committed but that there was no indication of genocidal intent. Human Rights Watch, however, is of the opinion that the report was an

attempt to influence the forthcoming International Court of Justice's verdict. [Myanmar Times]

The court will hand down its final and legally binding decision on January 23. Though, the court has no enforcement powers, it is part of the United Nations. [The Diplomat]

Cambodia: Khem Sokha trial begins

(fs) The trial against former leader of the dissolved Cambodia National Rescue Party Kem Sokha began last week at Phnom Penh Municipal Court. Sokha was arrested in 2017 for charges of plotting the overthrowing of ruling party leader Hun Sen. He told the press "I know strongly that I am totally innocent, so I have to go to the court and challenge the charge and demand that they drop the case". He faces 30 years in prison. [The Guardian]

Human rights group Amnesty International also urged the charges to be dropped, criticizing that "after two years held in arbitrary detention, the authorities have not presented a shred of credible evidence to support a charge of treason". [Amnesty]

For the first two days of the process, members of the media and civil society were excluded by the court, a decision heavily objected by these. [Reuters]

International Relations, Geopolitics and Security in Asia

China-USA relations: ‘Phase One’ trade deal signed

(dql) China and the USA last week concluded the so-called ‘phase one’ trade deal, under which, according to the White House, China has agreed on “significant structural reforms in a wide range of critical areas” of its economy, including access to its financial-services sector, currency devaluation and forced technology transfer, as well as on increasing its imports of American goods and services by at least 200 billion USD in the next two years. In return, the USA will not impose additional tariffs on 160 billion USD in Chinese imports, and reduce existing tariffs on 110 billion USD in Chinese goods from 15% to 7.5%.

The deal comes after more than two years of tense negotiations between the world’s two largest economies. US President Trump hailed the agreement as “a momentous step [...] toward a future of fair and reciprocal trade” between both countries, while his Chinese counterpart Xi said that the deal was "good for China, the US and the whole world." [The Diplomat] [The Hill][CNN]

Cross-strait relations: Tsai deepens anti-Beijing stance after reelection

(dql) Frosty cross-strait relations aren't likely to see any improvement in the foreseeable future, following President Tsai Ing-wen’s latest statements on relations between Taiwan and China.

In her first post-reelection interview, she reiterated her rejection of Beijing’s ‘one country, two systems’ frame for re-unification and said: “We are an independent country already and we call ourselves the Republic of China, Taiwan, adding: “We have a separate identity and we’re a country of our own. We deserve respect from China.” [Taipei Times]

In prior move last week, Beijing responded to Tsai’s reelection and insisted on adherence to the "1992 consensus" as the pre-condition for cross-strait relations, adding that peaceful reunification and ‘one country, two systems’ were “the fundamental guideline for seeking a solution to the Taiwan question.” [China.rog.cn]

The "1992 consensus" refers to a tacit understanding reached in 1992 between the then Kuomintang (KMT)

government and the Chinese government, which the KMT has consistently interpreted as both sides of the Taiwan Strait acknowledging that there is only "one China" while each side is free to interpret what "China" means. However, Beijing has never publicly recognized the second part of the KMT interpretation.

Chinese President Xi visits Myanmar signing major infrastructure developments

(jk) Chinese President Xi Jinping visited Myanmar over the past weekend, marking the first trip by a Chinese President since 2001. In the country's capital, Xi and State Counsellor Aung San Suu Kyi signed 33 agreements, including some major infrastructure developments.

One of them is the Kyaukphyu special economic zone (SEZ) and deep-sea port in Rakhine State providing access to the Bay of Bengal, as well as a railway link connecting the port with southern China. [The Diplomat] [Splash 247]

The port project in particular worries neighboring countries suspicious of a larger Chinese footprint and a "string of pearls" strategy when seen together with other projects such as Hambantota in Sri Lanka, Chittagong in Bangladesh, Gwadar in Pakistan or Djibouti. For obvious geographical reasons, Myanmar plays an important role in China's strategic planning and after mounting pressure from many Western countries over the Rohingya crisis, Myanmar as well is looking for support and partners.

Underscoring the notion that many of the deals struck are not purely economic in nature, after the visit, a joint statement was issued by China and Myanmar "in which Myanmar reaffirmed the so called 'one-China principle', naming Taiwan as an inalienable part of the People's Republic of China's territory" [Focus Taiwan]. The English versions of the statement read slightly different. The MOFA Myanmar Facebook page for instance, referred to a commitment to a One China Policy and to the three regions as “inalienable parts of China”, not using the term “the People’s Republic."

Japan: Abe’s Middle East tour

(dql) In a move to secure support from Middle East countries for Japan’s decision not to join the

International Maritime Security Construct (ISMC), the U.S.-led coalition to protect shipping in the Persian Gulf and Gulf of Oman, but to run its independent maritime initiative to safeguard commercial shipping in the region, Japanese Prime Minister Shinzo Abe last week visited Saudi Arabia, the United Arab Emirates and Oman amid high tensions between the USA and Iran.

Securing Abe a diplomatic success, all three countries expressed their support for Tokyo's maritime policy in the region. [Nikkei Asia Review][Japan Times][Kyodo News]

For an account on the chances for Abe to be peacemaker in the Middle East due to his personal relationships with the main players in the region see [The Diplomat].

Japan-India relations: Joint coast guards drill

(dql) Signaling efforts to strengthen military cooperation between Japan and India, the coast guards of both countries last week took part in a joint anti-piracy exercise off the Chennai coast. It was the 18th exercise of this kind between the two nations and comes amid China's expanding maritime presence in waters near India. [Japan Times]

India: Major differences among UN members over India's permanent membership in UNSC

(tk) On Thursday, China countered Russia's backing for India and Brazil's entry into the UN Security Council (UNSC) as permanent members. From Russia's point of view, the trend of the global development is the formation of new centers of economic might, financial power and political influence, to which India belongs. China on the other hand, which has veto power in the UNSC being one of its five permanent members, has been opposed to India becoming a permanent member for years. Even though the other four permanent members (US, UK, France and Russia) have backed the reform, China states that "all parties have major differences and we do not have broad consensus on the reform". In China's eyes, the reform should enhance the representation and say of developing countries, so that also smaller countries can be part of the decision-making process of the UNSC. [Times of India][Financial Express]

UNSC views Kashmir issue as “bilateral”

(tk) Another attempt by China to discuss the issue of Kashmir internationally failed at the UNSC on Wednesday. All other 14 members of the UNSC were of the view that this was not a matter that needed discussion at this point. France, Estonia and the UK called this a “bilateral” issue between India and Pakistan, to which Russia agreed. [India Today]

India and Sri Lanka to intensify security cooperation

(ls) India and Sri Lanka are in negotiations to enhance their existing security cooperation. India's National Security Advisor Ajit Doval met with recently elected Sri Lanka President Gotabaya Rajapaksa and discussed setting up a maritime research coordination center as well as intensifying military and coastguard cooperation. Sri Lanka has traditionally been allied to India, but China invested and loaned large amounts to the island nation during the decade-long (2005-2015) reign of Gotabaya's elder brother, Mahinda. Sri Lanka’s foreign policy was tilted significantly towards China under Mahinda. In December, Gotabaya said that Sri Lanka would need more financial assistance from China if other countries, particular India and EU countries, do not invest. [Al Jazeera]

Meanwhile, Indian concerns over Chinese ties with Myanmar are growing. Through the construction of the Kyaukpyu port, China will be making its presence felt on India’s eastern flank. India is already wary of China’s presence at Gwadar in Pakistan (in the west) and Hambantota in Sri Lanka (in the south). Though India and Myanmar have conducted several joint military operations along their borders, with China moving in with economic and other incentives, there could be pressures on the India-Myanmar relationship, according to observers. Chinese President Xi Jinping just visited Myanmar over the weekend. [Livemint]

An often-overlooked organization in this region is the Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (Bimstec). Its member states are Bangladesh, India, Myanmar, Sri Lanka, Thailand, Nepal and Bhutan. These countries have been negotiating on and off since 2004 for a free trade agreement (FTA) but differences between India and Thailand over market access remain a major problem.

However, in 2017 India made a commitment to hold more regular and high-level meetings. While China is physically disconnected from the Bay of Bengal, Chinese investment has poured into Bangladesh and Sri Lanka, where Beijing has made its presence felt. A piece in the Bangkok Post discusses Bimstec's challenges and chances. [Bangkok Post]

Bangladesh: Death toll rising on the India-Bangladesh border

(tk) Even though Dhaka and New Delhi agreed on a "zero deaths" policy along the India-Bangladesh border, in 2019 at least 43 Bangladeshi citizens were killed by Indians, which is a threefold increase from the previous year. A Bangladeshi human rights activist explained that no internationally accepted border protocols allow the shoot-to-kill policy that India has been pursuing. A report from the US-based Human Rights Watch said: "Some Indian officials endorse shooting people who attempt to cross the border illegally, even if they are unarmed."

Many international media and rights organizations have termed this border as the deadliest. This issue is becoming even more relevant since India passed its new religion-based citizenship law that excludes Muslims as immigrants from a new fast-track procedure. Thus, a high number of Muslims emigrating from India to Bangladesh can be expected. [Asia Times]

ASEAN foreign ministers meet in Vietnam, reaffirm UNCLOS and consider US Summit

(jk) Vietnam, holding the ASEAN Chairmanship in 2020 convened the ASEAN Foreign Ministers' Retreat last week, discussing ASEAN's priorities and regional developments for the year 2020.

One major theme of the following joint statement referred to the South China Sea and mentioned the 1982 United Nations Convention on the Law of the Sea (UNCLOS) several times. The Foreign Ministers reaffirmed UNCLOS as "the basis for determining sovereignty, sovereign rights and legitimate interests over maritime areas" and that it "is the overarching framework of legal order for the seas that must be respected by all countries". [ASEAN]

The ministers also tentatively accepted a US proposal for a special summit in Las Vegas, but a final decision has yet to be made. US President Donald Trump invited ASEAN leaders to the United States, a good sign after he disappointed many by not appearing at summits in Southeast Asia on several occasions, including the East Asia Summit. [Bangkok Post]

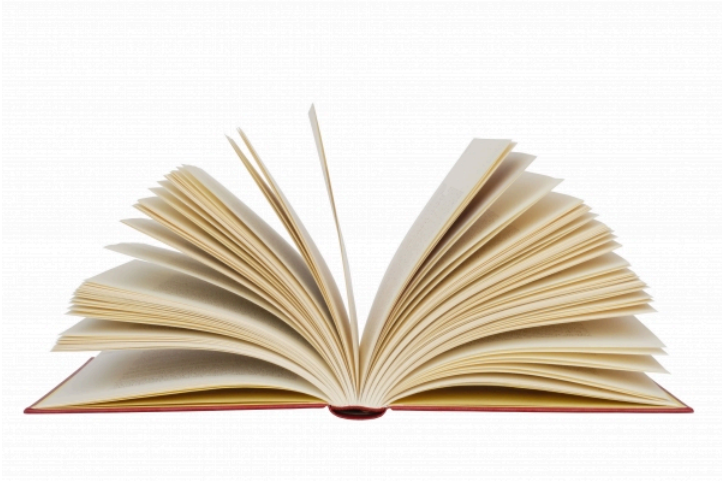
Were the Las Vegas summit to go ahead, it could have a positive effect on working against some of the less desirable trends (from a US perspective) that are subject of this week's background reading (below).

Thai and Indonesian armies agree to share intelligence on militants

(jk) Thailand's army chief, who visited Indonesia last week, met his Indonesian counterpart and signed an intelligence sharing agreement on cross-border movements of fugitives and militants. The agreement was signed in Indonesia's Aceh province where they met initially to to sign a four-year extension of a bilateral army cooperation deal. [Benar News]

Thailand's army chief said he was visiting Aceh to understand how Indonesia reached a settlement with Muslim insurgents in Aceh province in 2005. [Khaosod English]

Background Reading



ISEAS State of the Region Survey 2020

(jk) The ASEAN Studies Center at the ISEAS – Yusof Ishak Institute in Singapore has published its second survey of SEA focussing on the region's perceptions and opinions on political and economic issues.

Its results show that deteriorating views of the U.S. under the Trump presidency continue by and large, but at the same time, the region is increasingly anxious about Chinese engagement and influence. Most survey respondents see China as the most influential economic and strategic power, but were they forced to choose, "a majority of the total respondents (53.6%) will cast their lot with the US. However, when the respondents are broken down into their nationality, the majority of respondents from seven ASEAN member states (Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar and Thailand) favour China over the US."

While the region's confidence in the US as a strategic partner and provider of security is low overall, Japan continues to be most trusted and preferred as a strategic partner (~30%). [ISEAS]

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

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

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

Preferences | Unsubscribe