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# Asia in Review

**No. 19, May/2020, 2**

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Dear Readers,

Welcome to this week's AiR.

We hope you enjoy an informative read and stay healthy and safe as first steps back to normalcy are taken in countries across the world, but also as concerns regarding a potential second wave of the pandemic are rising.

With best regards,

Henning Glaser

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## Main Sections


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- Law and Politics in South Asia
- Law and Politics in South East Asia

- International Relations, Geopolitics and Security in Asia

# Law and Politics in East Asia

## China/Hong Kong: Lawmakers clash over paralyzed Legislative Council committee

(dql) Political heat in Hong Kong is rising amid a resurgence of street protests [South China Morning Post] [AiR No. 18, May/2020, 1] and ahead of the city's legislative election scheduled for September.

A meeting in Hong Kong's Legislative Council (LegCo) last week ended up in tumult and physical clashes among lawmakers from the pro-Beijing parties on the one side and pro-democracy parties on the other after the former was able to wrench the control of a meeting of the LegCo's House Committee from the latter which has so far formally led the committee meetings.

While the move was fiercely rejected by the oppositional pro-democratic camp as a breach of parliamentary procedures, the pro-Beijing camp justified it as a legal step to overcome the impasse in the committee caused by the continued filibuster of opposition lawmakers in the committee's meetings which has prevented the election of the committee chairperson since last October and, thus, paralyzed the work the committee which is in charge of clearing bills and passing them to the LegCo for vote.

The opposition's course of actions is widely believed to be an attempt to prevent in particular two contentious

bills from passage within the current legislative term which will end in July and in which the pro-Beijing camp has the majority. One is a bill criminalizing disrespecting China's national anthem, punishable with up to 50,000 Hong Kong dollars (approx. 6,450 USD) and three years in prison, while the second one is a long-shelved bill for a national security law for the city according Article 23 of the Basic Law which stipulates that Hong Kong "shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government, or theft of state secrets, to prohibit foreign political organizations or bodies from conducting political activities in the Region, and to prohibit political organizations or bodies of the Region from establishing ties with foreign political organizations or bodies." [Nikkei Asian Review] [The Guardian]

An initial legislation effort failed in the wake of mass protests in 2003. Since then, the government has abstained from such a move. However, recently Beijing has pressured the government to push for such legislation. [The Diplomat]

## China: Labor activists released

(dql) Chinese authorities last week released five Chinese leading labor rights activists after 16 months in detention. Accused of 'disturbing public order', they had been detained in January last year as part of a crackdown on an attempt by factory workers to establish a trade union. [Reuters]

The case draws attention to the difficult situation of labor activists in China who have come under growing pressure in the recent past as the Communist Party has been tightening its grip on social organizations that have the potential to escape the party's control.

In another case, Zhang Xuezhong, a noted constitutional scholar, was released on Monday after being arrested for questioning on Sunday. Zhang posted an open letter on social media in which he addressed members of the National People Congress which will convene next week and suggested constitutional reforms, freedom of expression and the release of political detainees adding criticism of the government's handling of the coronavirus. [South China Morning Post]

## South Korea: Ruling Democratic Party merge with sister party

(dql) Last week, the ruling Democratic Party (DP) decided to merge with its sister party, the Platform Party, which was formed only some months ago specifically to win proportional representation seats in the latest parliamentary elections. Despite the dismissal of three lawmakers from the Platform Party due to a property speculation scandal and other misconduct, the ruling bloc still holds a comfortable majority of 177 out of the 300 seats in the National Assembly. [Yonhap]

## South Korea: Fraud allegations against civic group for 'comfort women'

(ef) A victim of the Japanese military sexual slavery (so-called 'comfort woman') has alleged that a civic group aimed at helping victims has not used its donations transparently and has exploited the victims for the past 30 years. While the civic group denied any misuse of the donations, members of the ruling and opposition parties have called for an investigation targeting in particular the chairwoman of the civic group who won a seat in the National Assembly in the April election. [UPI] [Korea Herald]

## Taiwan: Final confirmation of recall vote against Han

(dql) An appeal by Kaohsiung Mayor Han Kuo-yu to halt a planned recall vote against him has been rejected by Taiwan's Supreme Administrative Court confirming an earlier decision of a lower court. [Focus Taiwan] [AiR No. 16, April/2020, 3]

With the recall vote now set  to take place in early June, recall campaign organizers and supporters of the recall among the pan-Green politicians have alleged that the Han administration is trying to manipulate the vote in various ways, including using the Kaohsiung police to take down campaign advertising calling for his recall while leaving up ads supportive of him and pressuring advertising firms to only allow pro-Han advertisements and to reject advertisements critical of him. [New Bloom]

# Law and Politics in South Asia

## India: Controversial labor law flexibilization to tackle economic fallout of Covid-19

(ls) A number of Indian state governments last week decided to remove several labor law safeguards to stimulate an economic rebound after the corona-related slowdown. The most significant changes were announced in Uttar Pradesh, Madhya Pradesh and Gujarat, which are all governed by the Bharatiya Janata Party (BJP). However, also states ruled by the Congress (Rajasthan and Punjab) have agreed to liberalize. Uttar Pradesh suspended the application of almost all labor laws, including the Act on minimum wages, for the next three years. Critics expect that employment will increasingly turn informal, bringing down the wages. [Indian Express]

In response, ten major trade unions said they were considering lodging a complaint with the International Labor Organization (ILO). The unions referred, in particular, to violations of the freedom of association, rights to collective bargaining and the norm of an eight hours working day. [The Hindu]

## India: Modi announces gradual easing of lockdown as tracing app faces criticism

(ls) Indian Prime Minister Narendra Modi has announced to gradually lift the strict lockdown measures that have been in place for several weeks now; however, without giving specific details. India's

railway is partially starting operations again. Political parties, businesses and citizens say the containment measures have destroyed the livelihoods of millions that rely on daily wages to sustain their lives. [Reuters]

Meanwhile, a Covid-19 tracing app for smartphones that has been designed by the Ministry of Information Technology in collaboration with the private sector is facing criticism for apparent data security issues. The government made downloading the app, which is called “Aarogya Setu”, mandatory for all public and private sector employees. Though the app was inspired by Singapore’s “TraceTogether”, the latter is voluntary, and a comparison shows that the Indian version is demanding considerably more data. A useful comparative graph can be found at the [Straits Times].

## Bangladesh: Increased enforcement of Digital Security Act against critics

(ls) 11 people including a famous cartoonist and a writer, have been charged in Bangladesh under the Digital Security Act for posting content on social media that was critical of the government's handling of the coronavirus outbreak. At least 40 people have been arrested in recent weeks on similar charges. Some have also been accused of undermining the image of the late Sheikh Mujibur Rahman, the father of current Prime Minister Sheikh Hasina and the nation's founding leader. [Al Jazeera]

A journalist, who had disappeared for more than 50 days, appeared again in police custody. He also faces charges under the Digital Security Act. The arrest apparently followed posts he wrote criticizing an alleged sex-trafficking ring run by an official in the ruling Awami League. According to human rights monitors, there have been more than 1,000 cases under the Act since it was introduced in 2018. The Act has been used largely by politicians and businessmen. [The Guardian]

Human Rights Watch has called on the Bangladeshi government to drop all charges. [Human Rights Watch]

## Bangladesh courts go virtual amid Covid-19 lockdown

(ls) The Bangladeshi government has decided to introduce virtual courts in order to enable the resumption of regular court activities amid the Covid-

19 lockdown. According to an ordinance published in the national gazette, all courts can serve orders, judgments, hold trial, inquiry, appellate hearings, arguments and evidence placements after ensuring virtual presence of the parties and eyewitnesses through audio, video or any electronic medium. [Dhaka Tribune]

# Law and Politics in Southeast Asia

### Philippines biggest broadcaster forced off air

(jk) The Philippines' biggest media broadcaster, ABS-CBN, was forced to cease its operations last week after a 25-year operating licence was not renewed. NGOs and government critics make a connection between President Duterte's previously displayed tendencies to restrict and close media outlets that he sees as critical towards him and his government. [BBC]

Duterte has made no secret of going against ABS-CBN since his election campaign in 2016 when he alleged the network was biased against him. He has made his stance clear several times, including remarks back in 2018 when he said he will object the licence renewal [CNN Philippines 1] and last year, making his message even clearer saying that he will personally see to it that the network is out of business in 2020. [CNN Philippines 2] Other journalists and critical networks, most prominently journalist Maria Ressa who faces years behind bars after publishing critical stories on her website Rappler, also facing government closure, are more cases in point. [e.g. Asia in Review, No. 29, July/2019, 3] [Asia in Review, (2/11/2018)]

ABS-CBN has asked the Supreme Court to reverse the order by the country's telecom regulator to shut down its operations. It argues it "undermined freedom of speech and the public right to information" and believes it should have been granted a temporary licence while the renewal that was due last week is still deliberated in Congress. Congress' hearings have been delayed due to the pandemic. [Al-Jazeera] [Rappler]

## Thailand: Former Constitutional Court President appointed Privy Councillor

(jk) Nurak Mapraneet, a former President of the Constitutional Court, has been promoted to the Royal Privy Council, a constitutional body of advisors to the King, appointed by him. Having been a career judge, Nurak became a member of the Constitutional Drafting Council after the 2006 military coup d'état to serve under the 2007 Constitution as a justice at the Constitutional Court since 2007. In 2014, one day after the country's army chief and incumbent Prime Minister Prayuth imposed martial law and one day before he staged Thailand's most recent coup, he became President of the Court, a position he held until March 31 this year. [Prachatai] [Bangkok Post]

## Thailand: Progressive group warned over slogan to "search the truth" about 2010 killings

(hg) Police and soldiers announced investigations against a civil society group, the Progressive Movement, for its recent building projections. With its projected laser messages to various buildings the group called to search for the truth related to the political demonstration crackdown in 2010 in which almost 100 people were killed, mostly by security forces.

After photos of the projection went viral in social media, the deputy national police chief warned of creating conflicts in the country while Deputy Prime Minister General Prawit Wongsuwon denied the projection the character of a symbolic demonstration, and the Deputy Defence Minister insisted police were duty-bound to take legal action on the matter.

The Progressive Movement which declared authorship of the laser messages was founded in March this year by the core leadership of Thailand's progressive party

after the party, which had become the third-largest in the 2019 parliamentary elections, was disbanded by the Constitutional Court in February this year. [Bangkok Post]

## Thailand: Soaring suicides pose questions

(hg) A rising number of tragic suicides – often publicly visible and by parents of little children – poses seriousquestions in the country with the generally highest suicides rate in Southeast Asia where suicide has ranked already second among the non-natural causes of death after traffic accidents. Now, scholars warned the number of suicides caused by economic repercussions due to the COVID-19 lockdown could even exceed the number of coronavirus deaths in the country. [The Diplomat]

Besides shedding some light on the general calculus of COVID-19 containment as it is questioned in many countries around the world, the Thai case of "corona suicides" gives reason to think about some particular problems of state and society in Thailand, be they related to the current situation or to constants whose effects are just aggravated now.

The mothers and fathers of children who hanged themselves, jumped from bridges or ate rat poison during the last weeks point to a saddening inability to respond to the social and economic hardships that will most probably continue to hit an increasing part of the population despite loosening lockdown conditions. After many of those almost 55% of Thailand's entire workforce who are occupied in the informal sector have been among the first victims of the pandemic's economic fallout, many more belonging to the middle class might follow when business is dying, debts aren't repaid and wages lost.

The tragedy that unravels and will probably even increase in light of an exceptional suicide rate both in normal and in abnormal times exposes an inadequate social security system, difficulties of the state's bureaucratic apparatus to effectively tackle unforeseen problems and stem reforms but also a society in which social isolation has become an endemic, yet largely ignored problem.

## Myanmar's military declares ceasefire over Covid-19, excluding areas where the Arakan Army operates

(jk) Myanmar's armed forces have declared a unilateral ceasefire with ethnic rebel forces until the end of August to focus its effort on containing the spread of the Covid-19 coronavirus. The ceasefire explicitly excludes parts of northern Rakhine and Chin State, where clashes between the government forces and the Arakan Army (AA) continue. [Myanmar Times]

While violence in northern Rakhine continues to spread, the commander-in-chief of the armed forces met separately with leaders of other armed ethnic groups to discuss combatting the outbreak. Reportedly, when meeting with the huge and powerful United Wa State Army (UWSA), he also mentioned the group's alleged support of the AA among other armed ethnic groups, selling them weapons and ammunition. [The Irrawaddy]

## Malaysia: No confidence vote to go ahead - but when?

(jk) The speaker of Malaysia's parliament announced to allow a vote of no confidence against Prime Minister Muhyiddin Yassin, tabled by former PM Mahathir Mohamad. The question now is, however, when the motion will be discussed. As reported previously, the upcoming parliamentary session will be a single one-day sitting on May 18 before the parliament is scheduled to reconvene properly in July. Observers believe the no confidence motion may be put behind other government business however and will therefore not be dealt with during the one-day sitting. Even if it were to go ahead, the result is very difficult to foresee as the current PM's coalition has - if at all- a very narrow majority. [Straits Times 1]

In the meantime, Mahathir Mohamad and Anwar Ibrahim issued a joint statement this past weekend, saying that they have "set aside their differences for a renewed push to regain power for the Pakatan Harapan (PH) coalition." [Straits Times 2]

On state level, there was less encouraging news for PH as its administration has lost control of Kedah state, where Mahathir's son, Mukhriz, was leading the government. His administration has lost control after two lawmakers defected from the coalition, putting their faith in the current prime minister Muhyiddin Yassin and the leadership of Perikatan Nasional (PN) which looks like now having a majority to form a new government in Kedah. [Channel News Asia]

### Malaysia: Rights groups urge government to act on hate speech against Rohingya

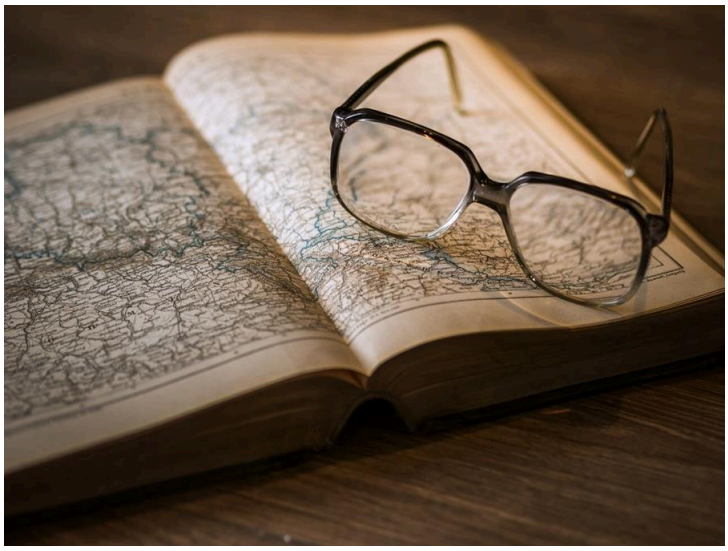
(jk) Several human rights groups have urged the government under new PM Muhyiddin Yassin to address hate speech and threats against Rohingya refugees in the country after numerous posts spread on the internet calling for violence and even murder against the refugees. A letter addressed to the government stated that the surge in hate speech was "driven by claims the Rohingya were demanding citizenship or other legal rights in Malaysia". [Al Jazeera]

### Timor-Leste: MPs petition Court of Appeal to investigate President Francisco Guterres for violating constitution

(jk) 18 MPs have petitioned the Court of Appeal to investigate the country's President for violating the constitution by not allowing nine other MPs to take up their nominated positions in cabinet since 2018 when the last parliamentary elections were held and by not dissolving the national parliament after it failed to pass a budget back in January. [Asia in Review No. 9, March/2020, 1] [Oekusi Post]

What the legal challenge means for the government is yet to be seen. For now, the current PM who was down and outmaneuvered by a former ally not long ago, but then withdrew his resignation in the face of dealing with Covid 19, now looks to remain in government for the foreseeable future. [AiR Timor-Leste] [UCA News]

## International Relations, Geopolitics and Security in Asia



## China-USA relations: New tariff waivers for US imports

(dql) China has published a list of almost 80 products to be exempt from US trade tariffs, effective from next week for one year. It is the second batch of exclusions after a first one in September 2019. [South China Morning Post][AiR No. 40, October/2019, 1]

The announcement comes at a heated moment of Sino-US trade relations after President Trump last week said that he was "very torn" whether to terminate the 'Phase One' trade agreement and this week declared that he is not willing to re-negotiate the deal following Chinese media outlets citing advisers suggesting Chinese officials to push for talks on a new trade deal with better conditions for Chinese side. [CNBC] [Aljazeera]

## China-USA relations: New visa restrictions on Chinese journalists

(dql) The USA has tightened visa rules for Chinese journalists under which visas for Chinese passport holders are limited to 90 days with the option for an extension. The rules do not apply to journalists with passports from Hong Kong or Macau.

According to the US Department for Homeland Security, this step has been taken "to address the actions of the PRC government and to enhance reciprocity in the treatment of US journalists in the PRC," clearly presenting the new visa rules as the latest in a string of tit-for-tat measures in a 'media war' between China and the USA, including Beijing's expulsion of US journalists on the one hand [AiR No. 12, March/2020, 4], and Washington's restrictions on

the work of Chinese state-run media outlets in the US. [AiR No. 9, March/2020, 1] [AiR No. 8, February/2020, 4]

## Japan: Protest against Chinese coast guard vessels chasing fishing boat in disputed waters

(dql) Japan lodged an official protest with China after Chinese vessels last week harassed a fishing boat in waters off what is known in Japan as the Senkaku Islands and in China as Diaoyu Islands in the East China Sea and claimed by both countries. In response, patrol ships of the Japan Coast Guard scrambled to safeguard the fishing boat and order the Chinese vessels to leave. [Japan Times]

According to Japan's 2019 defense white paper, "In the East China Sea and other waters, China is expanding and intensifying its military activities at sea and in the air," which "represent a serious security concern." [The Diplomat]

China responded to the protest by insisting that it has an "inherent right" to patrol the waters in the disputed area in the East China Sea, adding that the chased boat was "illegally operating...in China's territorial waters." [Politiko]

## Taiwan-USA relations: US Senate approves pro-Taiwan bill

(dql) In a move signaling US support for Taiwan's diplomatic efforts to boost its international standing, the US Senate unanimously passed a bill which calls for US Secretary of State to develop a strategy to enable Taiwan to regain its observer status in the World Health Organization. [Bloomberg]

While US President Trump is upholding his accusations against China of covering up the origin of the coronavirus, the bill hails Taiwan as "a model contributor to global health, having provided financial and technical assistance to respond to numerous global health challenges." [Congress, USA for the text of the bill]

In a related move New Zealand expressed its support for Taiwan obtaining the observer status, defying warnings from Beijing. [The Guardian]

Taiwan had observer status from 2009 to 2016 under then President Ma Ying-jeou and lost it in 2016 when independence-leaning Tsai Ing-wen from the Democratic Progressive Party became president and refused to accept the one-China principle. Since then, Beijing has been blocking Taipei from the WHO as part of efforts isolate the island.

In an earlier move, Taiwan's Vice President in an interview did not rule out that the coronavirus might have escaped from a laboratory in Wuhan, despite warning that one has "to be cautious with this finding," but also adding his conviction that China did not provide correct numbers of victims of the pandemic. [France 24]

## Inter-Korean relations: Seoul proposes joint system against infectious diseases

(ef) Amid the pandemic, South Korea's Unification Minister has proposed a joint response system to future infectious diseases. Due to a variety of wild plants blooming in North Korea, development of natural medicine would be possible.

The proposal comes after President Moon has repeatedly pushed for cross-border healthcare cooperation with regards to the pandemic. Thus far, North Korea has not responded to the offers. According to the Unification Minister, UN sanctions would not be a hindrance to this as the UN's stance is that the main objective should be the overcoming of the pandemic. [Korea Times]

## North Korea: South Korean naval exercises violate inter-Korean agreement

(ef) North Korea condemned the recent joint exercises by the South Korean Air Force and the South Korean Navy in the West Sea, adding that "everything was going back to the starting point before the Inter-Korean summit in 2018."

Pursuant to the Inter-Korean Military Agreement, large-scale military exercises require consultations. The condemnation comes a week after the inter-Korean cross-border shooting at the DMZ. [AiR No. 18, May/2020, 1] [The Diplomat]

## India's territorial and border disputes with Nepal, China and in Kashmir flaring up

(ls) Several incidents have put India's disputes with neighboring countries and in Kashmir in the spotlight. Last week, Indian Defence Minister Rajnath Singh inaugurated an 80 km link road through the Lipu Lekh pass, which is a territory disputed between India and Nepal but currently under control of Indian border security forces. Nepal protested against the move and announced to increase the number of security outposts and deploy more armed personnel to the border with India.

Nepal's interests have suffered several setbacks in recent years. Back in 2015, India and China agreed to include the Lipu Lekh Pass as a bilateral trade route, without consulting with Nepal. And in 2019, India released a new political map including the disputed territories, which led to Nepal's protest. [Kathmandu Post] [Economic Times] [The Hindu]

At the border between India and China, two small-scale violent incidents in Ladakh and Sikkim occurred between troops of the two countries. Soldiers brawled and threw stones at each other. The acts have led both India and China to send additional troop reinforcements to the area, while at the same time officials played the incidents down. The last major violent clash between the Indian and Chinese troops took place along the Pangong Lake situated between Ladakh (India) and Ngari (China) in September 2019. In 2017, there was a brawl between Chinese and Indian soldiers near Ladakh and the standoff in Bhutan's Doklam in the same year. [South China Morning Post] [Times of India]

Turning to another hotspot, Kashmir, where Indian troops have intensified operations amid India's nationwide lockdown. Indian troops killed four militants in gun battles, including Riyaz Naikoo, the commander of the biggest separatist group, Hizbul Mujahideen. News of the operation triggered clashes across the region in which dozens were injured. Authorities disabled mobile internet across the Kashmir region. [Reuters]

## Pakistan-India: Tensions over occupied parts of Jammu and Kashmir

(hg) The Chief Executive Officer of Pakistan-occupied Kashmir – its 'Prime Minister' – urged Pakistan's Prime Minister Imran Khan to militarily attack India since the Indian Meteorological Department's regional weather center has included Pakistan-occupied Kashmir in its weather reports. In Pakistan Occupied Kashmir – that part of the disputed Jammu and Kashmir which was invaded by Pakistan in 1947 and is effectively controlled by it since then – this was seen as the latest Indian assertion that the territories are an inseparable and integral part of India. [Times Now] [Mumbai Mirror]

As a retribution, Radio Pakistan has included parts of what it calls "Indian occupied Jammu and Kashmir" in its own daily weather bulletin. The initial Indian move, however, followed a decision of Pakistan's Supreme Court to allow Islamabad to hold elections in the disputed territories occupied by Pakistan last month which prompted India to lodge a "strong protest". [Livemint]

## Pakistani and Iranian army chiefs consult on border security

(ls) Pakistan's and Iran's army chiefs have discussed closer cooperation and possibilities for an exchange of expert delegations to maintain border security and prevent terrorist activities along the common borders. In particular, Pakistan seeks cooperation from Iran in dealing with Baloch militants allegedly operating from Iran's soil. The development comes against the backdrop of an attack on a Pakistani border patrol last week, in which six troops were killed. [Dawn]

## The South China Sea I: The new administrative zones and increasing military operations

(jk) As reported, China has recently announced that it has established administrative districts in the South China Sea, to which the Vietnamese Foreign Ministry responded that the move "seriously violated Vietnam's sovereignty" and that China should "abolish wrong decisions". [Asia in Review No. 16, April/2020, 3] [Reuters]

The pronouncement, despite the "ridiculousness" of China's "historic territorial claims" as evidenced for instance by the meticulous research work of British academic Bill Hayton [Twitter thread], is potentially

more challenging than "the occasional maritime pressure campaign or military exercise" for it "aims to formalize China's control, with permanent effects", according to recent analysis by a Vietnamese scholar published at the Asia Maritime Transparency Initiative. She further asserts that while she would not expect the international community to recognize these claims, it would already be a win for Beijing if there is none or only limited objection. She concludes that China clearly has "no intention whatsoever" to recognize international maritime law any time soon, or that it seriously wants to achieve a dispute management system through an ASEAN processes since its actions go "against the letter of the 2002 ASEAN-China Declaration of Conduct and the spirit of the Code of Conduct that is being negotiated". [AMTI]

In terms of pushback, even if not directly aimed at the issue of administrative zones but rather at the increased Chinese aggressions overall, the US Navy has for the second time in a month sent its ships specifically to an area in the South China Sea that is the scene of an ongoing dispute over resource rights between China and Malaysia, in addition to the regularly occurring Freedom of Navigation Operations (FONOPs). This was followed by US Pacific Fleet Commander clear statement that "[t]he Chinese Communist Party must end its pattern of bullying Southeast Asians out of offshore oil, gas, and fisheries." [USNI News] The [South China Morning Post] reports in an article this week on the increased military operations by the United States in all waters close to China this year.

## The South China Sea II: Vietnam rejects China's fishing ban as it weighs next steps

(jk/jn) After China had imposed a fishing ban in the South China Sea from May 1 to August 16 [Asia in Review No. 18, May/2020, 1], the Vietnamese government repudiated this move as a "unilateral decision" and asked China "not to further complicate the situation in the South China Sea". The foreign ministry pointed to the 1982 UN Convention on the Law of the Sea and historical and legal evidence to buttress Vietnam's claims to sovereignty over maritime territory that includes Paracel and Spratly Islands. The PRC justified the annual fishing moratorium with the need for stock conservation.

According to the Chinese coastguard "strictest measures" will be taken against any "illegal fishing activities". Experts have already warned tensions could

further flare up in the region since a possible pandemic-induced food crisis could prompt governments to increase their support and protection for their fisheries. It is worth remembering that just last month Vietnam had accused a Chinese surveillance ship of ramming a Vietnamese fishing boat near the Paracel Islands that sank as a result, while China claimed the opposite. [Straits Times] [South China Morning Post]

Vietnam is also, once again, weighing whether to lodge a complaint with the permanent Court of Arbitration in The Hague over Beijing's controversial claims to the South China Sea as a legal means to counter China's aggressive actions. This approach, previously floated on ministerial level last year [Reuters], would follow the model of proceedings won by the Philippines who defeated China in the same court in July 2016. Even though the ruling said that China had no historical rights to the territory outlined by the so-called "nine-dash line", China boycotted the proceedings and announced it would ignore the decision.

After diplomatic efforts like firm protests and warnings have been to little avail so far, a judgment in favor of Hanoi's position could strengthen its hand in the international arena where displeasure with China over its handling and disinformation regarding the Covid-19 outbreak has already been rife. It would help Vietnam to internationalize the dispute at a time when it is also chairing the ASEAN and is holding a non-permanent seat in the UN Security Council, even though substantive remedy cannot be expected in the latter body given China's right to veto. [Asia Times]

Other approaches to China's encroachment on Vietnam's territorial claims could encompass a halt to joint coast guard patrols, ending its participation in the Belt and Road Initiative (BRI) or downgrade China's partnership status. Vietnam could also strengthen or even militarize the protection for its national fishing fleet which, however, would give rise to the risk of armed conflict in which Vietnam is seriously out-gunned. A potentially less hazardous approach is to continue to work the levers of international diplomacy and seeking to build alliances as with ASEAN and increasingly with the US to find a strong counterweight to China's military might, possibly even including access to Vietnamese military facilities. [The Diplomat] [The Diplomat 2]

## China advances Belt and Road Initiative in Laos due to few Covid-19 infections

(jn) After anti-coronavirus measures taken by governments in the region caused several weeks of delay, construction has resumed at the new China-Laos railway that is going to be a part of a highspeed train connection between the Chinese town Kunming and Singapore. As part of the global Belt and Road Initiative (BRI), the railway is envisaged to span more than 400 km through northern Laos and is scheduled to be finished by 2022.

The renewed activity has been facilitated by the particularly small number of 19 officially reported coronavirus cases, the lowest of any other ASEAN member. Even though the mild impact of the coronavirus cannot be independently confirmed, it at least matches a plausible curve in a country with sparse population and infrastructure as well as contactless social etiquette.

China plans to make use of the railway as an alternative transport route for resources like energy and food, and as a way to reduce its dependency on maritime connection hubs. Laos itself is bound to pay $900 million for the $6 billion project, a considerable amount against a GDP of barely $20 billion. In case of default it is expected that Laos will have to pay in land concessions and natural resources. [Asia Times]

## Indonesia urges China to investigate "burial at sea"

(jk) Indonesia's government on the weekend spoke out against what it referred to as  inhuman treatment of its nationals by a Chinese fishing company. The company allegedly keeps Indonesian fishermen as without granting them basic rights and mistreating them gravely. At least at least three of them have been confirmed dead and were thrown overboard as caught on a video recording. [New Straits Times]

## U.S. Navy Submarines join surface ships and aircraft in interoperability exercise in Philippine Sea

(jk) Three US Navy submarines joined 7th Fleet ships and aircraft last week during a "joint advanced warfighting training exercise" in the Philippine Sea. The exercise developed  "warfighting concepts, improve maritime lethality, and enable real-world proficiency

and readiness to respond to any contingency." [US 7th Fleet]

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