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Asia in Review

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Dear Readers,

Wishing you a joyful festive season, the AiR team presents this week's update on the latest events and developments in domestic politics, constitutional law, human rights, international relations and geopolitics in Asia.

I wish you an informative read and extend special greetings to readers in Libya and Slovenia which celebrate Independence Day this week.

With best regards,

Henning Glaser

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Law and Politics in East Asia

China/ Hong Kong: City top court upholds mask ban at protests

(dql) In a blow to pro-democracy protesters in Hong Kong, the Court of Final Appeal, the city's highest court, has ruled that the city government's decision to ban face masks at protests last year is constitutional.

At the height of the anti-government protests in October last year, during which many protesters hid their identities behind facial masks, the Lam administration invoked the Emergency Regulations Ordinance (ERO) of 1922 to impose a mask ban during both authorized and un-authorized public gatherings. In response, opposition lawmakers challenged the constitutionality of the statute in the court, triggering a year-long legal battle.

The court found that government's banning of face masks at both permitted and illegal protests was a proportionate measure as it was aimed at "the prevention and deterrence of violence before a peaceful public gathering had deteriorated into violence." [Aljazeera] [Deutsche Welle]

China/Hong Kong: Prominent democracy activist applies for asylum in Britain

(dql) Nathan Law, a leading figure of Hong Kong's pro-democracy movement and founding member of the now dissolved pro-democracy party Demosisto, revealed that he has applied for asylum in the United Kingdom, after fleeing in the wake of China's new security legislation for Hong Kong which according to him grants the government "sweeping powers to prosecute political dissidents in Hong Kong for speech crimes". [The Guardian]

In an earlier development, Joshua Wong, another prominent democracy activist, was sentenced last month to thirteen and a half months in prison for participating in an unauthorized public gathering in June 2019. [AiR No. 49, December/2020, 2]

China: Regime critics detained, set to be on trial

(dql) Chinese journalist and documentary film maker Du Bin has been detained on suspicion of "picking quarrels and provoking trouble." Du is known for his party- and government-critical work, including – among others – a book on the Tiananmen crackdown 1989 and on the blockage of Communist troops of the northeastern city Changchun in 1948 to starve out Nationalist soldiers, leading to the deaths of at least 160,000 civilians, as well as a documentary of a Chinese forced labor camp. [China Digital Times]

In a second case, dissident poet Wang Zang, arrested in May and indicted in July, will soon stand trial over charges on "subversion against the state," according to his lawyer. In his poems and articles as well as in interviews with foreign media Wang has repeatedly criticize the government's repressive rule. He also openly voiced support for Hong Kong's democratic movement. "Subversion against the state," an umbrella term often used to suppress freedom of speech, is punishable with up to life imprisonment. [South China Morning Post] [Asia News]

For an account of major efforts and steps taken by President Xi Jinping's since assuming power in 2012 to strengthen and cement discipline and resilience of the Chinese Communist Party (CCP) to avoid the Soviet communist party's fate and to create a "political climate where no Gorbachev — the architect of Soviet

demise in Xi's eyes — would ever be permitted to rise to power," see Jude Blanchette at [East Asia Forum].

China set to introduce personal data protection law

(dql) Following the end of the period of soliciting public opinions on the draft Personal Information Protection Law released a month ago, China's Legislative Affairs Commission, the country's top legal advisory agency, presented further details on the draft law which resembles the European Union's General Data Protection Regulation (GDPR).

Under the draft law sensitive data include information about race, ethnicity, religious belief, personal biological characteristics, medical health, financial accounts, and personal whereabouts, making the scope much wider than that in the GDPR. Under this definition, location information, mobile number, bank account, financial transaction data, etc. are all considered as sensitive personal information. The new law would allow for fines for data privacy violations up to 7.6 million USD or 5% of a firm's annual revenue, applying also to entities outside the country using information about individuals in China.

Furthermore, the government would be required to justify any use of sensitive data. The use must be proportional to the task at hand, meaning sensitive information must be "used for specific purposes and only when sufficiently necessary," according to the Commission's spokesman.

While generally regarded as a big step forward in China's legislative efforts to create a set of central and comprehensive regulations on the protection of personal information, observers raise concerns over the vague formulation "sufficiently necessary," suggesting insufficient restrictions on the government and allowing it to retain the ability to use sensitive data at its own discretion. [South China Morning Post] [Find Biometrics]

For insights in China's accelerated efforts in recent years to establish a data governance regime, see Xiao Liu at [The Diplomat].

South Korea: Prosecutor General files lawsuit against his suspension from duty

(dql) In an unprecedented move, President Moon last week approved the decision of the disciplinary committee of South Korea's Justice Ministry to suspend Prosecutor General Yoon Seok-youl from duty for two months, after it found Yoon responsible for ethical and legal misconduct including surveillance of the judiciary, interference in the investigation into a controversial case as well as damage to his political neutrality.

Calling the decision "illegal and unfair", Yoon filed an injunction at the Seoul Administrative Court to halt the suspension order and a separate lawsuit to have the disciplinary order overturned. [Korea Times] [Korea Herald]

Taiwan: Referendum proposal on food safety approved

(nm) The Central Election Commission (CEC) determined last week that a referendum proposal, submitted by the main opposition party, the Kuomintang (KMT), and aimed to overturn the government's decision to allow imports of ractopamine-fed pork, met legal requirements. The certification by the CEC is the first of two hurdles a petition has to pass prior to being made subject to a national referendum.

The proposed referendum question reads: "Do you agree that the government should comprehensively prohibit the imports of pork, offal or other related products that contain the β-agonist, ractopamine?"

The KMT's move follows its criticism of the government's decision to lift an import ban on US pork containing ractopamine, a controversial veterinary drug currently prohibited by 160 nations, to take effect early next year. The KMT also announced to stage two rallies this week as lawmakers of the Legislative Yuan vote on nine executive orders associated with the lift. [Focus Taiwan 1] [Taipei Times]

The lift of the import ban is generally viewed as a step by the administration of President Tsai Ing-wen of the ruling Democratic Progressive Party to remove what the US considers a barrier to trade and open talks, possibly paving the way for a bilateral free trade deal. Members of the US Congress last week called for the commencement of negotiations on such a free trade agreement with Taiwan in a gesture of goodwill following the lift. [Focus Taiwan 2]

Law and Politics in South Asia

Bangladesh: PM Hasina asks leaders to face situations with patience

(lm) Speaking on the occasion of Bangladesh's Victory Day, Prime Minister Sheikh Hasina on December 16 instructed members of her ruling Bangladesh Awami League (AL) party to tackle all situations with patience, adding that the government would not 'allow anyone to create any division and anarchy in the name of religion'. [bdnews24] [The Hindu]

Hasina's speech comes against the larger backdrop of growing tensions between the AL-government and Hefazat-e-Islam Bangladesh, a hardline Islamist group based in Chittagong. Earlier this month, the group started an agitation against the construction of a sculpture of Bangladesh's founding father Sheikh Mujibur Rahman in the capital Dhaka [see AiR No. 48, December/2020, 1]. Islamist groups deem such statues to be anti-Islamic, often associating them with idol worship – a strictly forbidden practice in Islam. [TRT World] [The Diplomat]

India: Farmers vow to continue protest until new laws are repealed

(lm) Hearing a petition on ending the farmers' protest, the Supreme Court (SC) on December 17 warned that the protests could soon become a 'national issue' and suggested the government suspend implementation of the farm laws till negotiations yield some result. The SC also reiterated an offer it had first made the previous

day to set up a mediation panel. [The Straits Times] [South China Morning Post]

The government of Prime Minister Narendra Modi has been trying to meet the farmers halfway, agreed to pass a law guaranteeing a minimum support price for certain crops like wheat. The protest leaders, however have rejected the government's offer, vowing to continue to protest until the new agricultural reform laws are repealed [see AiR No. 50, December/2020, 3]. The farmers filed a petition with the SC on December 18, seeking the quashing of the laws. [Al Jazeera 1]

Prime Minister Modi on December 18 defended the laws once more and invited the protesting farmers for more talks, despite several negotiations failing to break the deadlock. Beyond strongly defending the three new agricultural laws, Modi also flayed the opposition for supporting farmers to oppose the legislation, saying the rival parties were using the shoulders of farmers to regain lost political ground by creating a web of confusion and lies. [Al Jazeera 2]

A Sikh preacher allegedly shot himself amid the farmers' protests at the Singhu border, purportedly leaving behind a suicide note saying he was unable to see the plight of the protesting farmers. According to police, at least 25 people have died, several of them due to the biting cold weather, h since November 26 when tens of thousands of farmers began to block major roads in and around New Delhi [see AiR No. 48, December/2020, 1]. [Hindustan Times]

Nepal: Prime Minister Oli recommends dissolution of Parliament, forestalling no-confidence vote

(lm) Throwing into doubt the political future of Nepal, President Bidya Devi Bhandari on December 20 dissolved the lower house of parliament. The decision came at the request of Prime Minister KP Sharma Oli's cabinet, after some lawmakers from his ruling Nepal Communist Party (NCP) had proposed a motion to hold a vote of no confidence that would call on NCP co-chair and Oli-rival, Pushpa Kamal Dahal, to become prime minister. Nepal is now set to hold elections on April 30 and May 10 next year, more than a year earlier than the expected vote in November 2022. [The Diplomat] [New York Times]

In the wake of the decision, the two rival factions of the NCP held separate meetings with the party's lawmakers as well as members of the upper house of

parliament, intensifying efforts to retain control of the party. A meeting of the NCP's Standing Committee chaired by the Dahal faction on Sunday proposed disciplinary action against the prime minister. A meeting of the Oli-led faction the following day, then, not only rejected the proposal, but in turn also demanded action against the rival faction. [The Himalayan Times 1] [The Kathmandu Post 1]

Increasingly isolated, Oli had lost support within the NCP over recent months, with some members openly demanding his resignation as party co-chair and prime minister [see AiR No. 44, November/2020, 1]. Observers therefore consider the decision as a last resort to safeguard Oli's political career, after he has fallen into minority in all key bodies of the party — Secretariat, Standing Committee and Central Committee. The prime minister defended the decision later on Monday in an address to the nation, saying his decision to dissolve parliament was had come in response to disputes and non-cooperation in the NCP that had led to a 'state of inaction'. [Reuters]

The country on December 21 witnessed multiple arrests, as protests were held in at least 10 cities across the country, including the capital Kathmandu. Moreover, opponents of Prime Minister Oli turned to the Supreme Court on Monday submitting more than a dozen petitions against the dissolution of parliament and the calling of an election, denouncing the move as a 'constitutional coup'. The court hearings are set to begin this week. [Al Jazeera]

Preceding the events, Prime Minister Oli last week faced heavy backlash over an ordinance to amend the Constitutional Council Act. The new ordinance, which had been promulgated by the president on December 16, enabled the Constitutional Council (CC) - a key agency that appoints officials at various constitutional bodies - to achieve quorum if as few as three of its six members, including the prime minister, attend a meeting. Interestingly, this was not the first time that the Prime Minister Oli had introduced and shortly thereafter withdrawn such an ordinance. In April, Oli also sought to amend the Constitutional Council Act but backtracked just days later, after coalition partners and some Cabinet members had opposed the move [see AiR No. 17, April/2020, 4]. [The Kathmandu Post 2] [The Himalayan Times 2]

On December 19, Oli then once again met with Dahal to reconcile their differences, offering to withdraw the ordinance if Dahal's political proposal [see AiR No. 46, November/2020, 3] was also withdrawn. But because Dahal refused the offer, Oli moved a resolution for dissolving the lower house of parliament, thereby

effectively blocking his former political partner from threatening his position. Hours later, seven of the government's 25 ministers – all belonging to the Dahal-led faction – resigned from Parliament in protest. [Hindustan Times]

Pakistan: Election Commission announces by-elections in eight constituencies

(lm) The Election Commission of Pakistan (ECP) has decided to immediately hold by-elections election in eight constituencies of national and provincial assemblies, which have been pending for the past eight months in the wake of the COVID-19 pandemic. The decision comes after the ECP earlier this month announced that it decided not to hold any pending by-elections before January 31, 2021. [Dawn 1]

Observers say the ECP's announcement to immediately hold all pending by-elections has put the Pakistan Democratic Movement (PDM), an alliance of leading opposition parties [see AiR No. 38, September/2020, 4] in a fix whether to participate or boycott them as the timing coincides with the Senate elections and the possible resignations by national and provincial lawmakers belonging to its constituent parties [see AiR No. 50, December/2020, 3]. [The News]

The federal government last week decided to hold Senate elections in February and to invoke advisory jurisdiction of the Supreme Court on open voting for the polls. The elections are to be held for 52 seats of the upper house as half of the members of the Senate will retire on March 11, after completing their six-year constitutional term. What is more, over 65 percent of the senators who are set to retire next year belong to the opposition parties. [Dawn 2]

Pakistan: Journalists union petitions high court against social media rules

(lm) The Islamabad High Court (IHC) has admitted a petition filed by the Pakistan Federal Union of Journalists against the recently enforced Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards), Rules 2020. The government approved the social media rules in November despite criticism from human rights activists and organizations. [Pakistan Today]

One of the new rules requires a social media company to remove, suspend or disable access to any online content within 24 hours, and in emergency situations, within six hours, after being intimated by the authority, even though the rules do not define what constitutes emergency cases. The IHC raised questions over the government's new social media rules earlier this month, observing that criticism was essential for democracy and discouraging it would have a detrimental impact [see AiR No. 49, December/2020, 2].

Pakistan: New anti-rape laws approved after protests over attacks

(lm) Pakistan introduced a rape law on December 15 that includes the establishment of special courts to expedite rape trials and the chemical castration of serial rapists. The presidential decree, which requires ratification by the parliament within four months to remain in effect, also prohibits the disclosure of the identity of rape victims and will create a national sex offenders' register. [The Straits Times] [The Indian Express]

The new legislation comes months after Prime Minister Imran Khan promised to remove deficiencies in existing legislation to expedite justice for rape victims. It also follows outrage over the gang-rape of a woman whose car ran out of fuel. Massive protests rocked the country after the investigating police officer appeared to blame the victim for travelling alone. [CNN]

Sri Lanka: Anger grows over forced cremations of deceased Muslims

(lm) Outrage is mounting in Sri Lanka's Muslim community, after the forced cremation of a 20-day-old COVID-19 victim last week against family wishes and in contravention of Islamic tradition. The incident was the latest in more than a dozen such cremations in the Buddhist-majority country since the outbreak of the pandemic. [France24]

Ignoring the World Health Organization's (WHO) guidelines which permit both burials and cremations, Sri Lanka amended its rules on burials and cremations in April, making cremations of COVID-19 victims mandatory [see AiR No. 20, May/2020, 3]. Human and religious rights groups, as well as local Muslim associations raise concerns over the policy, saying

authorities use it to purposely hurting the country's Muslim and Christian minorities. Several of the Muslims whose bodies were cremated by the authorities had not been tested for coronavirus, or had even tested negative. [The Diplomat]

In November, the government appointed an expert committee to reassess the mandatory cremation policy. In its report submitted later the same month, the committee reaffirmed the policy without citing any reasons. When the Muslim and Christian groups petitioned the country's Supreme Court, citing the right to bury according to rituals as a fundamental right, the court earlier this month refused to hear the appeal and dismissed the case. [Al Jazeera] [The Guardian]

Sri Lanka: Government considers registering foreign digital operators

(lm) Performing a volte-face, Sri Lanka's minister of mass media and information on December 21 said that the government was considering registering foreign digital operators, denying a previous statement on plans to register local users of all social media platforms to curb 'inappropriate content'. Clarifying his previous statement, the minister said the government's intention was not to register social media users but to acknowledge concerns that digital multinational conglomerates were overwhelming and alienating local businesses through data colonization. [News First]

Law and Politics in Southeast Asia

Indonesia: New effort to get into the electric vehicle supply chain

(nd) Last week, president Joko "Jokowi" Widodo personally invited Tesla chief executive Elon Musk to invest in Indonesia, both with regards to the production and components for electric vehicle batteries as well as for a potential launch site for Space, Musk's aerospace manufacturing and space transport venture. According to a 2018 European Commission report, the electric vehicle industry has an estimated worth of up to US$66.7 billion annually. A spokesman also welcomed electric vehicle investors from all countries, including China.

Indonesia is the world's biggest producer of nickel, with the world's biggest nickel reserves. It is a key component in the production of lithium-based batteries for electric vehicles. January 1 this year, Indonesia banned nickel ore exports and required miners to build smelter facilities in Indonesia in order to develop its downstream mining industry.

Still, high import tariffs for vehicle components, lack of engineering talent, and restrictions to foreign direct investment making logistics costs higher and electricity more expensive compared with neighboring countries were pointed out in a World Bank presentation last year as challenges for Indonesia to form part of the electric vehicle supply chain.

Additionally, Musk requests for nickel to be mined "efficiently and in an environmentally sensitive way". Biodiverse Sulawesi, which hosts most of the smelters, is already fragile and could be put at higher risk with growing demand, adding to the traditional powering of nickel smelters by coal. [South China Morning Post]

Indonesia: Activists warning of looming political dynasties

(nd) Following the successful mayoral elections in Java and Sumatra for President Joko "Jokowi" Widodo's son and son-in-law, the country's media and civil society activists are warning of a trend towards political dynasties. Jokowi's son was successful in Central Java city of Solo, where Jokowi himself started his political career in 2005. Media outlet Koran Tempo counted at least 53 successful candidates out of nine governors and 261 district chief and mayors, who are family members of serving or retired officials, in positions from district chiefs to the president.

Contrary to the Philippines, though, neither of these families constitutes an economic force. While nepotism certainly plays a role in Indonesia, the Philippines sees genuine political dynasties, workable through a mix of patronage, economic dependency and violence. Online news outlet Rappler last year identified 163 Philippine families whose members hold a political position, serving at the same time as other relatives from the same clan.

While President Rodrigo Duterte's daughter Sarah is his successor as mayor of Davao city, and his two sons filling the positions of vice mayor and one of the city's three congressional seats, which is repeated in other parts of the Philippines, with a majority of senators and House members belonging to powerful clans. The only direct comparison in Indonesia is in Banten, where five of eight districts are controlled by the family of former governor Ratu Atut Chosiyah. Most other tries where less successful and where stopped by incumbents at the polls.

In 2015, the Constitutional Court stoke down parts of the Local Elections Law, which prohibited prospective candidates with blood or marital ties to regional leaders to run for local office, citing a violation of the 1945 Constitution and the 1999 Human Rights Law, as well as principles of civil liberties in the United Nations International Covenant on Civil and Political Rights. Researchers therefore suggested to impose other controlling mechanisms, like raising the minimum duration of party membership before a candidate is eligible for office or nominating candidates through internal party conventions. Still, the avoidance of political dynasties presupposes the respective behavior of politicians and political parties. [Asia Times]

Malaysia: Graft sentence for former Umno top figure

(nd) Following the slim passage of the 2021 budget last week, former leader of the United Malays National Organisation (Umno) Tengku Adnan Mansor has been found guilty of graft and sentenced to 12 months in prison and fined 2 million ringgit (US$495,000). Umno is not officially part of the ruling Perikatan Nasional coalition, but Umno politicians form part of Prime Minister Muhyiddin Yassin's cabinet. MPs are disqualified if sentenced to a jail term of more than a year or a fine exceeding 2,000 ringgit, unless it is overturned by the highest level. Tengku Adnan could

retain his position but will not be able to run for office in possible elections. [South China Morning Post]

Myanmar: Endangered peace process in Kayin state

(nd) The recent Karen National Liberation Army's (KNLA) demand on December 1 for the withdrawal of all Myanmar military (Tatmadaw) bases from its territory marked the culmination of rising tensions due to what the KNLA views as Tatmadaw expansionism. Fighting resumed soon after the demand was made. Technically, both sides are cooperating in a Nationwide Ceasefire Agreement (NCA) signed in October 2015.

The KNLA, Myanmar's oldest ethnic insurgents, and its political wing, the Karen National Union (KNU) claims the military's gradual buildup, while the military claims there was competition over gold mining and other extractive projects in the area. Following civilian casualties, local protests are calling for the troops to leave

Parallelly, the Tatmadaw engaged in militarized search operations against nominally Tatmadaw-controlled Border Guard Force (BGF) members, a possible reason being their involvement in illicit gaming enterprises, with parts of the Kayin borderlands having become extraterritorial enclaves run by Chinese and Myanmar gangsters. The US Treasury recently imposed sanctions on the head of the project, triad leader Wan Kuok Koi, aka "Broken Tooth". [See also AiR No. 50, December/2020, 3]

In the most recent elections, hopes for an increasing ethnic Kayin representation were dashed by the National League for Democracy's (NLD) landslide win. The Kayin state recorded the lowest voter turnout in the country with 53%. Despite the failings in the peace process, the World Bank is now preparing a $ 200 million loan for infrastructure projects to the government, potentially serving as a line of credit for continued counterinsurgency, despite the bank's own project document of 2019 hinting at this possibility.

As a general trend, this highlights a significant shift away from people-centric development models to large-scale development projects, mostly infrastructural, by the large international agencies such World Bank, Asian Development Bank (ADB), and the United Nations Development Program (UNDP), which thereby avoid addressing overdue reforms and accountability, and refrain from addressing human rights and environmental issues within those financed

projects. Likewise, a genuine peace process has to address those fundamental issues and not only fund certain projects. [Asia Times]

Myanmar: Report to uncover military ties to telecom operator Mytel

(nd) According to a recently published report by the advocacy group Justice for Myanmar (JFM), Myanmar's military (Tatmadaw) entertains close ties to the latest mobile operator Mytel, and thereby to a global network of international firms that the report accuses of "fueling state corruption and abetting the international crimes of the military."

Mytel was established in June 2018 under the civilian government led by State Counselor Aung San Suu Kyi, and the public holds a 28 percent share, managed through Star High Co. Ltd., a privately registered company and subsidiary of the Myanmar Economic Corporation, one of two secretive military conglomerates. By now, Mytel is one of the nation's largest telecom operators, with more than 10 million subscribers and quarterly profits around $25 million. With those revenues, the report suggests, the military was able to improve and expand its telecommunications infrastructure, and also strengthen its power grip and position.

Additionally, Mytel's largest shareholder (49 %) is Vietnam's Ministry of National Defense, the Military Industry and Telecoms Group (Viettel), which not only presents a national security risk due to their building and maintaining towers in military bases. Viettel also functions as Mytel's contact point to supply foreign countries, enabling economic ties with international firms despite the ongoing allegations of genocide, war crimes and crimes against humanity with respect to the military's treatment of Rohingyas in western Myanmar since 2017. [The Diplomat]

Philippines: Bid to raise minimum consent age

(nd) Currently, Congress is considering a bill to raise the age to be able to consent to sex from 12 to 16 years, in an effort to improve the protection of child rights. The low age has been in the penal code since 1930, with activist having lobbied for decades for an increase.

This effort comes amid rising issues with teen pregnancies and online child sex abuse. In 2015, a government-backed nationwide study highlighted one in five children aged 13-17 experienced sexual violence, while a quarter having been raped during childhood. Prosecution though is toughened by the low consensual age, which is used to argue in these cases. Opposing arguments point towards a possibility to push adolescents in impoverished areas into an illegal underground, for they might be reluctant to work with social workers. [South China Morning Post]

Philippines: ICC investigations in war on drugs in 2021 possible

(nd) The International Criminal Court's (ICC) chief prosecutor sees a "reasonable basis" for crime against humanity probes in the extrajudicial killings by government forces in the wake of president Rodrigo Duterte's war on drugs that would also involve the President himself. A decision about a launch of investigations will be rendered by the first half of next year. After the case was triggered in 2017 with a complaint against Duterte by a Filipino lawyer and an ICC report saw a basis that crimes against humanity were possibly committed, the Philippines withdrew from the Rome Treaty on the ICC followed by repeated threats and insults against the ICC and its personnel. In July this year President Duterte said for instance he would hurl a grenade at the ICC so that "we'll all go to hell together".

While the Philippines' government insists the ICC has no jurisdiction over Manila as a non-treaty state, an investigation by the ICC could also be avoided according to the treaty itself if the Philippines convincingly show, they are conducting "fair, serious and meaningful investigation" of the crimes themselves. A recently formed Philippine task force to investigate the crimes was, however, seen by critics as an obvious way to simply prevent ICC investigations, specifically with respect to President Duterte's immunity under Philippine law despite the outcome of the domestic investigations. After all and contrarily to the ICC rules, he would enjoy immunity as the heads of state.

While the Office of the United Nations High Commissioner for Human Rights estimates that more than 8,600 people were killed in the war on drugs, the Philippine Commission on Human Rights estimates around 27,000 killings. [South China Morning Post]

Philippines: Recent challenges to peace process in the south

(nd) Following decades of conflict and years of negotiations, which tasked the former rebels of the Moro Islamic Liberation Front (MILF) with leading a three-year transition period to result in the election of a regional government in 2022, calls to extend this period due to Covid-19 threaten to throw the peace process in the Southern Philippines off track. It forced the responsible to turn funds and human resources towards the mitigation of the pandemic. MILF supports those calls since this means a prolongation of their rule.

Peace agreements in 2021 and 2014 enabled this success story in the Muslim-majority Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). The interim body, Bangsamoro Transition Authority (BTA), led by MILF is aimed at creating institutions and transition over to regional elections. Challenges to this are the highly fragmented nature of the region, language, and armed groups as well as influential political clans, which also need to be accommodated to, or might challenge the legitimacy of the endeavor. Since the transition began, though, no major outbreak of violence was seen.

The political clans do not have a united stand on this issue yet. Arguments in favor of an extension are the expected stronger foundations for the administrative apparatus, so institutions can take roots. AN extension could adversely fuel skepticism about the process as such, or be perceived as undemocratic, since the BTA is appointed, not elected, and it will have to be extended for three years to keep it synchronized with national elections.

According to the law, duration of the transition period has to be legislated by the Philippine Congress, involving President Rodrigo Duterte, who voices his support for an extension. Still, the military is already concerned about the delay in the rebel's disarmament and the remaining armed groups in Mindanao not involved in the peace process. To prevent the fragile situation from collapsing, MILF should reach out in a dialogue with governors and clan leaders, with the overall issue being a reminder that the success of the peace process is not guaranteed. [Asia Times]

A deeper analysis by Georgi Engelbrecht can be found [here].

Thailand: Future Forward to campaign for PAO elections

(nd) For the first time since 2012, Thailand held elections to fill its Provincial Administrative Organizations (PAOs) on December 20. The local polls were put off after the 2014 coup, which saw five years of military rule. Former lawmakers of now-defunct Future Forward party, led by Thanathorn Juangroongruangkit, formed the Progressive Movement, which is campaigning for candidates with like-minded pro-democracy goal. The party was dissolved by a Constitutional court decision in February this year and its executives barred from public office for the next 10 years over illegal deemed loans.

The importance of a local political base for national elections was emphasized. PAOs were set up in the 1990s to give local communities more influence in government. PAOs decide how to spend a certain amount of tax income in the respective province. Experts say, many PAOs are governed by politically connected family clans, who organized it as a patronage system, handing out jobs and contracts, which enables them to gather votes for national elections. To end this, the Progressive Movement backed candidates for more than half of the provinces to increase competition and wants to impose policies by having a mechanism of accountability, local participation, and transparency. They might have troubles convincing voters in rural areas with deep, long-standing ties to the PAOs.

At the polls, candidates backed by Move Forward, the successor party to the Future Forward Party, won a total of only 55 seats in 18 provinces, but no chief executive positions, which prompted Thanathorn to apologize and vow to continue the fight. [Nikkei Asia]

Parallelly, the Election Commission is investigating a complaint that the Movement is a political party, which would be forbidden to openly support PAO candidates. [Voice of America]

Thailand: UN increasingly worried

(nd) The UN human rights body again expressed its increased worry over detentions of democracy activists, including a minor aged 16 years, who was granted bail. A total of 35 protesters are now charged under the lese majeste law, Article 112 of the criminal

code. It carries a prison sentence between three and 15 years and was not used in two years.

In peaceful demonstrations, which are ongoing since this summer, the activists are demanding the Prime Minster Prayut Chan-o-Cha to resign, a new constitution, reforms to the monarchy and more scrutiny of the royal family's financial arrangements. [Bangkok Post]

Thailand: Protesters to focus on monarchy reform

(nd) Lawyer and co-leader of the pro-democracy protest Arnon Nampa said this Monday the protest movement will focus solely on its demand for reform of the monarchy and step up pressure on the government next year. His comments were made at a rally outside a police station in Bangkok, where he and 7 others came to answer lese majeste charges for the incident on November 29 outside the base of the 11th Infantry Regiment (King's Guard).

Speeches were given, accusing the police of serving a dictator and abusing the respective laws against people with a different view, renewing calls for reforms. Health Minister Anutin Charnvirakul was accused of citing Covid-19 as a reason to bar gatherings like the protests. Reportedly, they were barred from entering and answering the charges. [Bangkok Post]

Thailand: Set up of national unity panel to start

(nd) The government, the Senate and political parties are expected to submit the lists of their representatives for the proposed national unity panel this week. After some opposition parties expressed reluctance to participate and criticized the committee's composition as unfair, the parliament president Chuan Leekpai will have talks with them and aims to clarify the tasks on the panel.

The six opposition parties previously announced not to join the panel, which was reiterated by Pheu Thai MP and chief opposition whip Sutin Klungsang. The opposition claimed the panel was mostly made up of government affiliates, lacking political neutrality, and questioned the determination to really solve issues through the panel.

The committee will have 21 members from 7 groups, with two each from the government, government MPs, opposition MPs, senators, the protest group, as well as other concerned groups, and academics and experts. As their representatives, the government named Suporn Atthawong and Terdpong Chaiyanant, with the former having been a key figure in the red-shirt United Front for Democracy against Dictatorship. Also, both are known for their heated words exchange with protesters. [Bangkok Post 1] [Bangkok Post 2]

Thailand: Opposition plans vote of censure

(nd) Sutin Klungsang, chief opposition whip and an MP for the main opposition Pheu Thai Party, announced to file a no-confidence motion against the government next month, with a focus on the government's handling of the crunching economy and alleged corruption. No names were mentioned, but it is probable that Prime Minister Prayut Chan-o-cha will be the premier target as government leader, with Deputy Agriculture Minister Capt Thamanat Prompow also on the list. This is the second of such action against the current administration. The first was in February, which was hindered by the fights between the Pheu Thai and now-defunct Future Forward party. [Bangkok Post]

Thailand: Prisoners released early

(nd) Last week, 76 prisoners were released early with the condition to wear electronic tags, including United Front for Democracy against Dictatorship co-leader Nattawut Saikuar of the red-shirt movement. The Supreme Court sentenced him to jail in June for leading a violent protest 2007.

Prisoners not released but receiving reduced terms included former TV anchor Sorrayuth Suthassanichina and former commerce minister Boonsong Teriyapirom. [Bangkok Post]

Vietnam: Facebook user arrested

(nd) Following allegations of abusing democratic freedom and publishing posts against the state, prominent Facebook user and former journalist

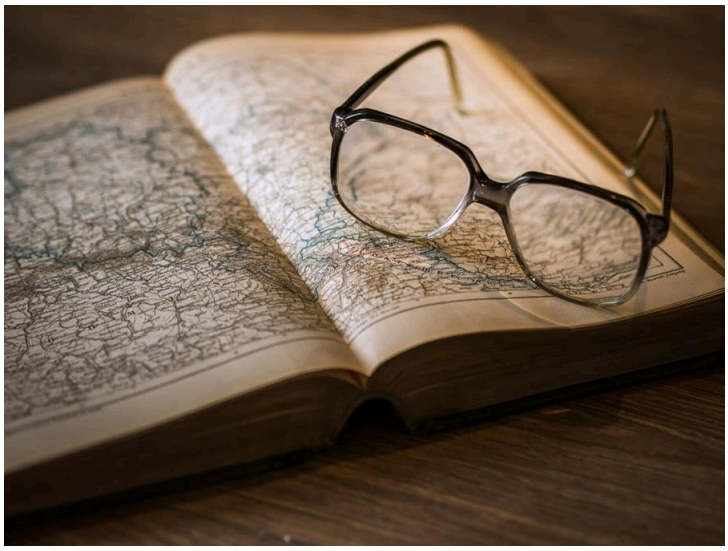
Truong Chau Huu Danh was arrested last week. He has nearly 168,000 followers and shared several anti-state posts, “causing division of national unity" according to the police report. This comes amid an increased crackdown on opposition figures and activists ahead of a key party congress in January next year. Facebook is under constant government scrutiny, with government already threatening to shut it down it the network does not censor political content. [Voice of America]

Vietnam: Currency manipulation allegations rejected

(nd) In response to the US’ move to label Vietnam a currency manipulator, Vietnam refuted the allegations, with the State Bank of Vietnam insisting, “exchange rate management in recent years is within its general framework of monetary policy and aims to achieve the consistent goal of controlling inflation, stabilizing macroeconomy”, which therefore does not create an unfair competitive advantage for the nation. The Vietnamese Dong traded at 23,127 per US dollar, with the benchmark VN Index of Vietnamese stocks loosing 1 per cent in early trade.

The US Treasury put new names of potential currency manipulators of a “monitoring list”, which are India, Taiwan, and Thailand, alongside China, Japan, South Korea, Germany, Italy, Singapore, and Malaysia. [South China Morning Post]

International Relations, Geopolitics and Security in Asia



China-US relations: Washington sends stitches against Beijing at various fronts

(dql/nm) Last week, the US Congress approved a bill demanding Beijing grant Washington a US consulate in Tibet and paving the way for sanctions against Chinese officials who interfere in the succession of the Dalai Lama.

China insists that it has the right to approve the Dalai Lama's successor, which critics view as an attempt to control Tibet which has been controlled by China after its troops entered the region in 1950, in what Beijing calls a "peaceful liberation". Following a failed uprising against China's rule, the Dalai Lama fled into exile in India in 1959. [South China Morning Post] [U.S. News]

At the trade front, the US Department of Commerce added to its blacklist over 60 Chinese companies it says are complicit in human rights violations, China's military build-up in the South China Sea and intellectual property theft. Listed companies are severely limited in doing business with US firms. Among the targeted companies are Semiconductor Manufacturing International Corporation (SMIC), China's top chipmaker, and Shenzhen DJI Sciences and Technologies Ltd., the world's biggest drone manufacturer. The move is the latest effort of the Trump administration to cement a tough-on-China legacy for the incoming Biden administration. [Deutsche Welle]

In a related move, US President Donald Trump signed into law a bill that bars securities of foreign companies from being listed on any US exchange unless they comply with the US Public Accounting Oversight Board's audits for three years in a row. While the law applies to any foreign companies, it is widely believed to target Chinese firms as it requires public companies

to disclose whether they are owned or controlled by a foreign government. [Forbes]

Furthermore, the US is issuing new prohibitions barring utilities supplying military bases and other critical defense facilities from using Chinese high-voltage transformers and other so-called bulk power equipment, according to US Department of Energy sources which cited the need to protect the facilities from foreign adversaries. Among the firms named as a particular threat to American power grid is Huawei. [Bloomberg]

Pertaining to Taiwan, the US destroyer USS Mustin sailed through the Taiwan Strait on Saturday, making it the 12thwarship of the US Navy to conduct such a passage in this year. A day later China's aircraft carrier Shandong transited through the Strait, its second transit after the first one in December 2019. [9 News] [Focus Taiwan]

The new US maritime strategy paper of the US Navy, Marine Corps, and the Coast Guard, titled "Advantage at Sea", meanwhile, identifies China and Russia as "the two most significant threats to this era of global peace and prosperity," while highlighting that it is Beijing among them which "represents the most comprehensive threat to the United States, our allies, and all nations supporting a free and open system," given its "growing economic and military strength, increasing aggressiveness, and demonstrated intent to dominate its regional waters and remake the international order in its favor." The paper calls for strengthening US alliances and partnerships to "operate more assertively to prevail in day-to-day competition," warning in particular against maritime activities below the threshold of war and "incremental gains," that translate into "long-term advantages." [defense.gov, USA]

In a latest development, US Secretary of State on Monday announced the US imposed additional visa restrictions targeting Chinese officials held responsible for or complicit in human rights abuses. [Reuters]

China-Australia relations: Beijing delays trial suspected Australian spy

(dql) The trial of Chinese-born Australian writer Yang Hengjun over charges of espionage has been delayed by three months, according to a source close to him. Yang, a former Chinese spy before becoming a democracy advocate and writer of spy novels published in Taiwan, was arrested in Beijing in January

2019 and formally charged in October this year. In over 300 rounds of interrogation, he has refused to confess, causing major problems for China's confession-based legal system. [The Guardian] [Brisbane Times]

China-EU investment pact in sight?

(dql) Following a meeting with 27 EU ambassadors in Beijing, Chinese Foreign Minister Wang Yi announced that Beijing and Brussels are likely to wrap up their comprehensive investment agreement. On the EU side, the European Commission last week reportedly made "a political decision in principle" to take the deal following Beijing's offer of additional concessions on equal access for European firms in the Chinese market.

These latest developments have raised hopes for its conclusion within 2020, after seven years of negotiations.

However, the issue of forced labor in Xinjiang seems to remain the stumbling block, with EU officials voicing doubts that it would be politically possible for the European Parliament to approve the agreement if China sticks to its refusal to ratify the International Labour Organizations Standards on Forced Labour. China, however, insists that "[t]here is no such thing as force labor in Xinjiang," calling such claims "slanders and smears" against China. [South China Morning Post 1] [South China Morning Post 2]

Chinese and Russian warplanes enter South Korea's air defence identification zone, fly over Sea of Japan

(dql) South Korea scrambled fighter jets in response to an intrusion into its air defence identification zone by 15 Russian and four Chinese warplanes, in what appears to be a joint military drill between Beijing and Moscow. [Yonhap]

Meanwhile, six Russian and Chinese strategic bombers on Tuesday flew over the Sea of Japan and the East China Sea. The Japanese Air Self-Defense Force scrambled fighters against the bombers. [Kyodo News]

Japan: Cabinet approves record defense budget

(dql) Japan's Cabinet has approved a record 52 billion USD defense budget for the next fiscal year starting in April 2021. More than 70 million USD are allocated to the development of a new stealth fighter jet, the country's first in three decades. The program is expected to cost a total of around 40 billion USD and is expected to be ready in the 2030s. Tokyo will, furthermore, spend 323 million USD to begin development of a long-range anti-ship missile to defend its southwestern Okinawan island chain, as well as 912 million USD to build two compact warships able to operate with fewer sailors than conventional destroyers. [Deutsche Welle]

Taiwan-US relations: Deepening cooperation

(nm/dql) Taiwan and the United States last week announced the signing of a bilateral Scientific and Technological Cooperation Agreement that provides a legal structure for deepening collaboration to advance scientific research, unleash technological innovation and ensure research integrity and intellectual property protection between both sides. [Focus Taiwan 1]

The announcement came shortly after Washington had approved an export license for a digital sonar system to be installed on Taiwan's first indigenous state-of-art submarine, one of eight new submarines, whose production kicked off in November and of which analysts say it could complicate any potential Chinese military plans to invade the island or install a naval blockade. [Taiwan News] [Naval News] [CNN]

Meanwhile, US Congress members called on the US government commence negotiations on a bilateral free trade deal with Taiwan and to revise guidelines for US-Taiwan relations, arguing that the current guidelines, unchanged since 1994, have been imposing more restrictions on bilateral relations than required by the absence of diplomatic relations. [Focus Taiwan 2]

Under President Trump Taiwan has experienced increased support from the United States, a move that is widely viewed as an effort to counter China's rising influence in the region. For a possible reading of Taiwan's opportunities and risks for the incoming Biden administration, see Eric Yu-Chua Huang at [Brookings].

Taiwan announces intent to join CPTPP

(nm) Last week, Taiwan's Ministry of Foreign Affairs (MOFA) announced that Taiwan had notified member states of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) of its intent to join the regional trade deal.

The agreement, which was originally composed of twelve member states and known as the Trans-Pacific-Partnership (TPP), was thrown into limbo when US President Donald Trump withdrew in early 2017. It was then renamed and now links Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam – Malaysia, Peru, Chile, and Brunei, however, have yet to complete their domestic legal processes for joining the pact. The pact's member states account for approximately 13% of global GDP, making it the third largest free-trade area by GDP worldwide.

Potentially significant hurdles to the island's accession to the pact stem from Taiwan's ban on food imports from five Japanese prefectures following the 2011 Fukushima nuclear disaster as well as Chinese President Xi Jinping's expressed bid to "actively consider" joining CPTPP last month.

As Taiwan is excluded from most regional trade agreements – including the world's largest free-trade bloc, the Regional Comprehensive Economic Partnership (RCEP), which was signed last month – it is deemed crucial for the island's economic growth to join CPTPP. [Focus Taiwan] [Taipei Times] [Reuters]

Taiwan, US, and Japan agree on 2021 priority cooperation areas

(nm) Last week, Taiwanese, Japanese, and US officials announced their countries' priority areas of cooperation for the upcoming year as part of the 6th Global Cooperation and Training Framework (GCTF). According to a joint statement, the platform "[plans] to host GCTF workshops in the areas of public health, law enforcement, disaster prevention and mitigation, renewable energy, and workforce and artificial intelligence."

The initiative was launched by Taiwan and the US in 2015 for the development of human resources and exchange of knowledge and hosts workshops on areas of common interest for the region. Japan joined as full partner in 2019. [Focus Taiwan] [Taiwan News]

Mongolia receives first batch of EU funding for employment sector transformation

(dql) As part of the 50.8 million Euro Budget Support program signed be the European Union and Mongolia in May, Brussels has disbursed the first 16 million Euro to the Mongolian government to implement so-called "SDG-aligned Budgeting to Transform Employment in Mongolia," project to complement the government's efforts to cope with the socio-economic fallouts of the pandemic. The project is designed to support employment and promotion of decent work and improved public finance management systems through results-oriented budget initiatives as direct contribution to the attainment of the Sustainable Development Goals. [Aki Press]

Pakistan will not recognize Israel until resolution of Palestinian issue, says foreign minister

(lm) Following on the heels of his two-day trip to the United Arab Emirates (UAE) [see article in this edition], Pakistan's Foreign Minister Shah Mahmood Qureshi on December 21 said he had made clear to the UAE that Islamabad could not recognize Israel until a 'concrete and permanent settlement' of the Palestinian issue. In the same vein, Pakistan's Prime Minister Imran Khan later the same day said Pakistan would refuse to recognize Israel until Palestinian rights were guaranteed. [Dawn 1] [Anadolu Agency]

Timing and context of the remarks are noteworthy, because they are but the latest in a recent series of events pertaining to the relationship between Pakistan and Israel: First of all, they come at times when other Muslim-majority countries have already normalized diplomatic and economic relations with Israel. After Saudi Arabia gave its tacit affirmation, the UAE in August, and Bahrain in September did so through collective agreements known as the Abraham Accords. Sudan and Morocco followed in October and earlier this month, respectively. Some other Gulf countries, including Saudi Arabia, are also reportedly weighing options to normalize relations.

Days after the UAE formally revived ties with Tel Aviv, foreign and local media carried reports suggesting that Saudi Arabia and the UAE were pressing Pakistan from behind the scenes to be next in recognizing Israel.

Lending further credence to the argument, Prime Minister Khan made headlines in November when revealing that Islamabad had been under pressure from some 'sisterly' countries to recognize Israel, adding that Pakistan would not budge until the Israel-Palestinian issue was resolved.

Earlier this week, then, reports - mainly from Israeli media - suggested that Islamabad had secretly sent a messenger to Tel Aviv, a move that would certainly send shock waves across Pakistan's powerful radical Islamic groups. Against this backdrop, the Foreign Office was forced to intervene before the rumors sparked demonstration or worse, always close to the surface in a nation where religious forces have regularly showcased their ability to stir street protest. [Arab News] [Middle East Monitor]

What is more, they also take place against the larger backdrop of an unease in relations between Pakistan and Saudi Arabia over diverging geopolitical perceptions [see AiR No. 45, November/2020, 2]. Last week, China agreed to immediately provide a $1.5 billion financial lifeline to Pakistan, which was preparing to repay the second tranche ($1 billion) of a $2 billion loan from Saudi Arabia [see AiR No. 50, December/2020, 3]. A high-level Saudi delegation, led by Prince Faisal bin Farhan, is expected to visit Islamabad early next month. A Pakistani delegation is also expected to visit Riyadh soon afterwards. [Dawn 2]

Pakistan to fence off city of Gwadar to shield Chinese-operated port

(lm) Authorities in Pakistan's southwestern province of Balochistan have started putting up barbed wire around large parts of the port city of Gwadar, as part of security measures to protect the fulcrum of 50$ billion in projects linked to the China-Pakistan Economic Corridor (CPEC). Following on the heels of a visit to Islamabad by Chinese Defense Minister General Wei Fenghe earlier this month, the move comes at a time when Beijing is stepping up efforts to boost the CPEC [see AiR No. 49, December/2020, 2]. [Nikkei Asia] [The EurAsian Times]

Part of a safety plan which authorities initiated following a large number of attacks from Baloch militants, the fencing takes places against the larger backdrop of mounting security concerns for Chinese interests in Gwadar. A case in point, Pakistan's leading Taliban group, Tehreek-e-Taliban Pakistan (TTP), had announced its reunification with three formerly

estranged factions earlier this year. The TTP's reunification had put China in a tight spot, given that Beijing was long-since pressing Islamabad to crack down on ethnic separatist groups in the provinces of Balochistan and Sindh to protect projects linked to the CPEC [see AiR No. 37, September/2020, 3]. [Business Recorder]

Separately, a joint venture formed by three Pakistani companies entered into an agreement with the Chinese company running Gwadar port to move liquefied natural gas (LNG) onto special purpose trucks for regasification at various industrial sites across the country. The agreement comes after Pakistan's Federal Energy Minister last month said that the country's indigenous gas reserves were rapidly depleting [see AiR No. 45, November/2020, 2]. Further, the government this week announced that it had arranged twelve liquefied natural gas (LNG) cargoes for upcoming January, after citizens all across the country had lamented gas shortage and low pressure in several areas of Pakistan. [The News] [Pakistan Today] [Dawn] [Geo News]

India accelerates work on Chabahar Port, expecting incoming US administration to remove sanctions on Iran

(lm) India, Iran and Uzbekistan on December 14 held their first meeting of a trilateral meeting on joint use of Chabahar Port, a seaport located in southeastern Iran that is being increasingly seen as a fulcrum of connectivity to Afghanistan and central Asia. The three countries discussed the utilization of the port for trade and transit purposes as well as implementation of transit strategies for enhanced regional connectivity. [Hindustan Times]

Earlier in September, Indian Defense Minister Rajnath Singh paid a short visit to Iran, on his way back from Moscow, where he attended the three-day meeting of the Shanghai Cooperation Organization (SCO) [see AiR No. 36, September/2020, 2].

Touted as New Delhi's answer to the Chinese-operated port of Gwadar in Pakistan [see e.g., AiR No. 49, December/2020, 2], Chabahar Port is being jointly developed by India, Iran and Afghanistan to boost trade ties among the three countries. Indian company India Ports Global took over the operations of the port in December 2018 and since then the company has handled 1.2 million tons of bulk cargo and about 8,200 containers. Located on Iran's energy-rich southern

coast, it is the only Iranian port with direct access to the Indian Ocean, and thus can be easily accessed from India's western coast, bypassing Pakistan. Mindful of the importance of the port for shipping cargo and humanitarian assistance to war-torn Afghanistan, the United States exempted the multinational Chabahar Port project from its sanctions against Iran in 2018.

Earlier this year, China and Iran were said to be in the final stages of approving a $400 billion economic and security deal, after Tehran proceeded with the construction of a rail link connecting Chabahar and Zahedan independently, citing delays in the proposed funding from India. Underscoring Beijing's aim to expand its footprint in the Middle East, the proposed Chinese investment involves massive infrastructure investments, but also envisioned closer cooperation on defense and intelligence sharing, and is rumored to include discounts for Iranian oil.

According to analysts, however, Tehran may be continuous not to put all their eggs in the Chinese basket, especially amid signs that the US under Biden might re-engage with Tehran on the Joint Comprehensive Plan of Action (JCPOA). US President Donald Trump unilaterally withdrew from the JCPOA in 2018 and re-imposed crippling sanctions as part of a 'maximum pressure' campaign against Iran. However, President-elect Joe Biden in an interview last month said he would offer Tehran a 'credible path back to diplomacy', arguing that dealing with Tehran's nuclear program was the best way to achieve stability in the region. [The EurAsian Times]

Pakistan's foreign minister embarks on two-day visit to the United Arab Emirates

(lm) Pakistan's Foreign Minister Shah Mahmood Qureshi on December 17 embarked on a two-day visit to the United Arab Emirates (UAE) for talks on bilateral matters, making the welfare of the Pakistani diaspora in the UAE a priority. Timing and context of the visit are noteworthy, because it comes weeks after the UAE stopped issuing work visas to Pakistanis, along with the nationals of 12 other countries. On Sunday, the UAE's foreign minister said the decision to suspend the issuance of visas to Pakistani citizens was taken due to the coronavirus pandemic and the restrictions were 'temporary'. [Dawn] [Gulf News]

For Pakistan, which is currently trying to retain its dwindling foreign currency reserves [see AiR No. 50,

December/2020, 3], foreign remittances provide a financial lifeline, and the UAE is the country's second-largest source of remittances. Besides, Pakistan's ailing economy has no employment opportunities for people who would otherwise have found work in the UAE. Thus, the current suspension will not only keep the unemployment rate in Pakistan high, but will also further increase pressure on government of Prime Minister Imran Khan [see AiR No. 50, December/2020, 3].

Observers assume that the reason for the visa ban lies in the recent Pakistani government's foreign policy decisions, which have irked the Gulf monarchies. Qureshi earlier this year had expressed frustration over the inaction of the Organization of Islamic Conference (OIC) and Saudi Arabia, insisting that the OIC was not doing enough to pressure India on the Kashmir issue. In response, Saudi Arabia withdrew 2$ billion in loan, cancelled investment commitments of another $20 billion in Pakistan, and also asked its ally UAE to choke Islamabad economically by suspending work visas to its citizens. At the time, China had come forward and extended $1 billion in loan to help Islamabad avoid any adverse impact of the partial withdrawal of the Saudi lifeline [see AiR No. 32, August/2020, 2]. [The Interpreter]

India Prime Minister Modi accepts Britain's invitation to be part of upcoming G7 meeting

(lm) Indian Prime Minister Narendra Modi on December 16 accepted an invitation of British Prime Minister Boris Johnson to be part of the G7 meeting of leading industrialized nations. Earlier, the UK prime minister had written to India, Australia and South Korea asking them to attend the UK-hosted Group of Seven summit, scheduled for next summer. [South China Morning Post]

It also comes after Modi last month formally invited Johnson to be the chief guest at India's 70th Republic Day celebrations next month, making him the first British PM since John Major in 1993 to attend the parade. The invitation was extended by Modi to Johnson during their phone conversation on November 27. [AiR No. 49, December/2020, 2]

While the Johnson's trip to New Delhi was initially being described as a post-Brexit tilt to the Indo-Pacific, it now has become part of a plan to transform the G7 group into a broader grouping of 10 leading democracies

capable of challenging China and other authoritarian states. While the idea behind a 'D-10' is not a novel one, it has a new impetus amid the coronavirus pandemic, chiming with US President-elect Joe Biden's plan to hold a summit of democracies. [The Guardian]

India, Bangladesh sign seven MoU on cooperation

(lm) Bangladesh and India on December 17 signed seven Memoranda of Understanding (MoU) on cooperation in a range of areas including trade, energy and agriculture. The agreements were signed in Bangladesh's capital Dhaka on the sidelines of a virtual summit between Bangladeshi Prime Minister Sheikh Hasina and her Indian counterpart Narendra Modi. [Anadolu Agency]

As India is competing with China to deliver coronavirus vaccination to Bangladesh in a diplomatic offensive carefully choreographed to expand their influence [see AiR No. 35, September/2020, 1], New Delhi reassured Dhaka it would priorities the supply of COVID-19 shots to its South Asian neighbor. Moreover, the two leaders also restored a cross-border rail link snapped in the Indo-Pakistani War of 1965. [The Straits Times] [Hindustan Times]

The virtual summit marked the first high-level meeting of the leaders since bilateral relations had nosedived after India passed its controversial religion-based citizenship law late last year [see AiR No. 2, January/2020, 2]. New Delhi has since been making overtures to smoothen relations with Dhaka, with the Indian foreign secretary visiting Bangladesh twice this year [see AiR No. 35, September/2020, 1, AiR No. 33, August/2020, 3].

United States Congress denounces China's 'aggression', calls territorial claims against India 'baseless'

(lm) The US House of Representatives and the Senate on Tuesday passed the National Defense Authorization Act (NDAA), which included a section introduced by an Indian-American Congressman that urges the Chinese government to end its military aggression against India along the Line of Actual Control (LAC). [South Asia Monitor] [India Today]

Expressing 'significant concern' over the continued military aggression by China along the LAC, the NDAA remarks that Beijing 'should work with' India toward de-escalating the situation along the Line of Actual Control through existing diplomatic mechanisms and refrain from attempting to settle disputes through coercion or force'. [The Hindu]

Earlier this month, the United States-China Economic and Security Review Commission (USCC in its report to the US Congress suggested that Beijing might have planned to escalate tensions in June [see AiR No. 24, June/2020, 3], potentially even planning for the possibility for fatalities. [USCC]

Millennium Challenge Corporation terminates grant to Sri Lanka, citing lack of partner country engagement

(lm) At its quarterly meeting on December 15, the Millennium Challenge Corporation (MCC) Board of Directors decided to discontinue the proposed US$ 480 million compact with Sri Lanka, citing a lack of partner country engagement as reason for the decision [see AiR No. 50, December/2020, 3]. In part, the money will be made available to Sierra Leone, which was selected as new partner country for the MCC's five-year grant program. [ColomboPage] [Millenium Challenge Corporation]

Last year, the Board of Directors of the MCC approved a five-year, $480 million Compact with the Government of Sri Lanka aimed at reducing poverty through economic growth [see AiR No. 26, June/2020, 5]. Under the current government, which came into power at the end of last year, little headway has been made. Following the recommendation of four-member committee, President Rajapaksa on November 1 announced that the MCC would not be signed under his administration [see AiR No. 44, November/2020, 1].

United Kingdom it would consider potential extradition treaty request against former PM Sharif

Against the larger backdrop of Pakistan's failure to persuade the United Kingdom to repatriate former Prime Minister Nawaz Sharif to serve his jail sentence for corruption, Islamabad in October withdrew clearance for a flight chartered by the United Kingdom

to take deportees from London to Islamabad. While Pakistan has denied any links to the row over Nawaz Sharif's repatriation, the move last month prompted a letter from British Home Secretary Priti Patel to a Special Assistant to Pakistan's Prime Minister Imran Khan. [The Sun]

In October, Pakistan's federal government had written to British authorities for a third time, requesting the UK to consider cancelling Sharif's visa [see also AiR No. 37, September/2020, 3]. In her written response, Patel pointed out that the UK government was subject to international law, adding that London would give a potential extradition treaty request 'full attention the provision of UK law.' [The News]

Sharif, who was jailed in a corruption case in 2018, has been residing in London since November last year after a court granted him indefinite bail to seek medical treatment. The former prime minister is facing a number of corruption charges in Pakistan and is considered by the courts to have absconded. He is also facing sedition charges for accusing the military of political interference [see AiR No. 41, October/2020, 2, AiR No. 37, September/2020, 3].

Bangladesh Air Force to be provided with additional fighter planes, says prime minister

(lm) Bangladesh's Prime Minister Sheikh Hasina on December 20 reaffirmed her government's commitment to the 'Forces Goal 2030', a military modernization program of the Bangladesh Armed Forces. Addressing the President's Parade of the Bangladesh Air Force through video channel, Hasina remarked that plans were already in place to purchase additional modern equipment and technologies, including fighter planes, adding that the coronavirus pandemic had spurred budget constraints. [The Daily Star] [United News of Bangladesh]

Cambodia, China relations possibly shifting

(nd) The Cambodian government has just ordered its first batch of Covid-19 vaccine and it is not coming from China but the UN-backed COVAX vaccine facility which can be read as a move away from China in the vaccination game. Meanwhile, China's Sinovac vaccines were already delivered to Indonesia which, different

from Cambodia, is not particularly close to China at all. Adding to the significance of Phnom Penh's decision to not deal with China this time are remarks of Prime Minister Hun Sen, saying Cambodia was not a Chinese "dustbin" for vaccine trials.

A readable [Asia Times] piece contemplates on the possible background story and the question if a more neutralist Cambodian foreign policy looms which, however, might still seems too early to early to judge. In any case, there have already been dialectical counter-movements to the increasing Chinese influence in the country which culminated in last October's first bilateral trade pact between Cambodia and China. Negotiated in a remarkably short span of less than a year, it leans heavily in favor of China, which has enjoyed a large trade surplus and is accompanied by increasing discontent with Chinese investments. Critics claim that Chinese firms would only hire Chinese workers, engage in land grabs, and bring Chinese organized crime to Cambodia with Sihanoukville being the most prominent example.

See also the last week's Asia in Review for the Cambodian governments attempt to regain at least some control over the city which many saw already as turning into a Chinese "colony". [AiR No. 50, December/2020, 3]

All irritations notwithstanding, will a revitalized Cambodian tourism industry after its pandemic freeze heavily rely on Chinese tourists while China became the country's largest trading partner in 2019, with bilateral trade worth US$8.53 billion back then. [Asia Times]

Indonesia, South Korea to sign trade agreement

(nd) Last Friday, Jakarta and Seoul signed the Indonesia-South Korea Comprehensive Economic Partnership Agreement (IK-CEPA) to increase bilateral economic relations and attract more South Korean investments in Indonesia. From an Indonesian perspective the agreement adds to a long list of similar international agreements this year, including the Indonesia-Australia CEPA, the ASEAN-Hong Kong, the China Free Trade Agreement (AHKFTA), and the ASEAN-Hong Kong, China Investment Agreement (AHKIA). Also signed were a deal in the Indonesia-Mozambique PTA, the Regional Comprehensive Economic Partnership (RCEP), and the Protocol to Amend ASEAN-Japan EPA. [Tempo]

Myanmar, US to enhance cooperation

(nd) In a telephone conference, the deputy US secretary of state reinforced US support for Myanmar's democratic transition amid conflicts in Rakhine State, and the unsolved Rohingya issue and also discussed an increase of US investments in Myanmar, with the US being only the 10th-largest source of foreign direct investment in Myanmar at current with nearly US$330 million (447 billion kyats) invested since 2017. [Irrawaddy]

Philippines: Possible ICC case on war on drugs

(nd) The chief prosecutor of the International Criminal Court (ICC) commented to see a "reasonable basis" for crime against humanity probe in Philippines for the extrajudicial killings by police and government forces in the wake of president Rodrigo Duterte's war on drugs. A decision to open an investigation or not will be rendered by the first half of next year.

The ICC report shows that the prosecutor agrees with activist that crimes against humanity were possibly committed. The case was triggered in 2017 with a complaint against Duterte by a Filipino lawyer. Following the ICC announcement of investigation, the government reacted with fury and pulled of the ICC.

An investigation by the ICC could be avoided if the Philippines convincingly show, they are conducting "fair, serious and meaningful investigation" of the crimes themselves. The recently formed task force to investigate the crimes was labelled an obvious way to simply prevent an ICC investigation, specifically with respect to Duterte's immunity under Philippine law despite the investigations. Contrarily at the ICC, heads of state do not enjoy immunity. [South China Morning Post]

Philippines: Recent challenges to peace process in the south

(nd) Following decades of conflict and years of negotiations, which tasked the former rebels of the Moro Islamic Liberation Front (MILF) with leading a three-year transition period to result in the election of

a regional government in 2022, calls to extend this period due to Covid-19 threaten to throw the peace process in the Southern Philippines off track. It forced the responsible to turn funds and human resources towards the mitigation of the pandemic. MILF supports those calls since this means a prolongation of their rule.

Peace agreements in 2021 and 2014 enabled this success story in the Muslim-majority Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). The interim body, Bangsamoro Transition Authority (BTA), led by MILF is aimed at creating institutions and transition over to regional elections. Challenges to this are the highly fragmented nature of the region, language, and armed groups as well as influential political clans, which also need to be accommodated to, or might challenge the legitimacy of the endeavor. Since the transition began, though, no major outbreak of violence was seen.

The political clans do not have a united stand on this issue yet. Arguments in favor of an extension are the expected stronger foundations for the administrative apparatus, so institutions can take roots. AN extension could adversely fuel skeptism about the process as such, or be perceived as undemocratic, since the BTA is appointed, not elected, and it will have to be extended for three years to keep it synchronized with national elections.

According to the law, duration of the transition period has to be legislated by the Philippine Congress, involving President Rodrigo Duterte, who voices his support for an extension. Still, the military is already concerned about the delay in the rebel's disarmament and the remaining armed groups in Mindanao not involved in the peace process. To prevent the fragile situation from collapsing, MILF should reach out in a dialogue with governors and clan leaders, with the overall issue being a reminder that the success of the peace process is not guaranteed. [Asia Times]

A deeper analysis by Georgi Engelbrecht can be found [here].

ASEAN and the South China Sea in 2021

(nd) Against the background of ongoing tensions and significant developments in and regarding the South China Sea over 2020, a recent article in the [East Asia Forum] by Sourabh Gupta argues for an increased potential for ASEAN to play a more meaningful role in the conflict.

Myanmar is purchasing Airbus military transport aircraft via Jordan

(nd) Myanmar is buying two Airbus CASA C295 tactical military transport aircraft for US$38.6 million (52.29 billion kyats) from the Royal Jordanian Air Force as - due to the EU's arms embargo against Myanmar - France-based Airbus could not deal directly with Myanmar. After the US and other Western governments imposed arms embargos following the bloody coup in 1988, Myanmar turned mainly to Russia, sometimes China for new equipment. Due to quality issues and allegations about a dependence on China, however, defense ties with India and Japan have grown closer in recent years already. [Irrawaddy]

German embassy in Jakarta apologizes over embassy visit to Islamic extremist group

(nd) Following a diplomatic visit to the extremist Islamic Defenders Front (FPI) last week, the German Embassy in Indonesia issued an apology clarifying that a staff member was there on self-initiative, without any order nor knowledge of the embassy. Therefore, the visit would not reflect the German government's policy, nor any form of support to FPI.

Last week, the police killing of six FPI members triggered an official investigation and protests by FPI supporters while FPI leader Rizieq Shihab, after his return from self-exile, has turned himself in on charges for Covid-19 health protocol breaches during his daughter's wedding last month. [Jakarta Globe]

Malaysia, China to send new ambassador

(nd) China's new ambassador to Malaysia is expected by some analysts to engage with the Malaysian stake in the South China Sea dispute, an issue he seems to be thoroughly experienced in after having served in the boundary and ocean affairs department during China's dispute with the Philippines which was concluded by the United Nations Permanent Court of Arbitration in 2016. Malaysia claims the seabed and waters extending 200 nautical miles from its coast, which is objected by China on the basis of the 2016 invalidated

nine-dash-line, which stretches 2,000 km from the Chinese mainland and reaches waters close to Malaysia, Vietnam and the Philippines. In September 2019, Malaysia and China agreed already to set up a bilateral consultation mechanism on maritime affairs.

The new Chinese ambassador is also expected to work both countries' economic cooperation with regard of Belt and Road Initiative projects in Malaysia, including the US$11 billion East Coast Rail Link. China was the primary destination for Malaysian goods in 2019, with a value of 140.9 billion ringgit (US$34.85 billion), making up 14.2 per cent of Malaysia's overall exports. [South China Morning Post]

China to build high-tech wall along its border to Myanmar

(nd) China is building a high-tech wall, fitted with high-voltage fences, surveillance cameras and infrared sensors along its 2,227-kilometer border with Myanmar. While officially supposed to contain the spread of Covid-19, observers contemplate also other reasons for the effort, which is rather convincing as the wall shall be finished only by October 2022.

This includes the goal to prevent Chinese dissidents from fleeing China, to contain cross-border trade of illegal items, to just display a show of power towards the neighbor. Most likely also according to a thorough analysis by Bertil Lintner in the [Asia Times], the security wall is, however, supposed to prevent the infiltration of hostile forces from Myanmar to China.

Notably, most of both countries' border is controlled by ethnic armed groups. Some of them - the United Wa State Army (UWSA) or the National Democratic Alliance Army (NDAA) for instance - have close relations with China's security agencies. Others, however, especially in the Christian Kachin state, are, however, suspected by China to be used against Beijing's security interests.

A recent unsigned article on the Chinese nationalistic website Toutiao just referred again to the traditional ties of the Kachin Independence Army (KIA) with the US and its security agencies most notably the CIA. Against this background, the Chinese author claims that Kachins in Myanmar have "continuously conducted intelligence operations in China and secretly recruited troops and cadres from the Jingpo ethnic group in China." [Asia Times]

Announcements

Upcoming Online Events

January- February 2021, Geneva Centre for Security Sector Governance, Switzerland

DCAF Young Faces 2021 Webinar Series on Cybersecurity Governance for Young Leaders

The DCAF invites all young leaders and interested scholars from Southeast- and Eastern Europe and the South Caucasus interested in cybersecurity and good governance to apply for the Young Faces Webinar Series. The series consists of three different webinars with three sessions each, covering the following topics: Introduction to Good Governance in Cybersecurity (26-28 January), National Cybersecurity Strategies (NCSS) – Experiences in Strategically Planning Cybersecurity Governance (16-18 February), and Gender and Security Online (23-25 February). Participants will have the opportunity to exchange with experts and researchers in the field while expanding their knowledge. Applications are open until 31 December 2020.

For more information and application guidelines, please visit [DCAF].

11 January 2021 @ 12:00 pm EST, Queen's University, Canada

HSPRI Inside Research Series: Ontario Health Teams w/ Dr. Walter Wodchis

Dr. Walter Wodchis – Associate Professor at the Institute of Health Policy, Management and Evaluation at the University of Toronto – will seek to determine: What does success mean and how do we know if we are progressing toward that goal?

If you are interested in joining the event, please follow [QU] for more information and registration.

13 January 2021 @ 7:00 pm ET, Centre for International Governance Innovation, Canada

Everything is Connected with Dr. Laura DeNardis

This presentation and subsequent Q&A ask: Is our ever-increasing connectivity to the Internet blurring the lines between our physical and virtual worlds? How can we manage the balance between the benefits and dangers of the Internet of Things (IoT)? Dr. Laura DeNardis, CIGI Senior Fellow and scholar of Internet architecture and governance at American University and Yale Law School's Information Society Project, will launch her new book.

For more information, please visit [CIGI].

13 January 2021 @ 11:00 am CET, European Centre for International Political Economy, Belgium

ECIPE Webinar: How Can We Revive the WTO and Trade Multilateralism?

In this webinar, Simon Evenett considers how to revive the WTO and trade multilateralism after the COVID-19 crisis, asking in particular: Has the COVID-19 crisis done permanent damage to the self-correcting system of the WTO? What can the WTO do to arrest the trend of new trade frictions? How is the WTO system addressing various shifts in the global economy and politics – like the growth of the digital economy and climate change? Is the WTO able to deal with these and other new 21st century problems?

If you wish to participate in the webinar, please visit [ECIPE] for more information and registration details.

27 January 2021 @ 4:00 pm CET, Bruegel, Belgium

In search of a fitting monetary policy: the ECB's strategy review

As the European Central Bank is in the middle of reviewing its monetary policy strategy, this webinar seeks to discuss the following questions: What are the issues that it needs to address? Are there quick gains to be had? And what are the big issues that it must consider? Importantly, how is the role of macroeconomic management changing in the era of the digital transformation?

If you are interested in this event, please follow [Bruegel] for more information.

27 January 2021 @ 9:00 am EDT, Hudson Institute, United States

The Future of US-Nigeria Relations: A Conversation with Ambassador John Campbell

James Barnett and John Campbell – former US Ambassador to Nigeria and Senior Fellow for Africa Policy Studies at the Council on Foreign Relations – will discuss contemporary Nigerian politics, the challenges of post-colonial state-building, and the future of US-Africa relations. Campbell is also author of the new book, Nigeria and the Nation State: Rethinking Diplomacy with the Postcolonial World, urging US officials to stop projecting their own image of the nation-state onto Africa and embrace a more decentralized approach to diplomacy.

Please follow [Hudson Institute] for more information.

Recent book releases

J. C. Sharman and Andrew Philipps, ***Outsourcing Empire: How Company-States Made the Modern World***, Princeton University Press, 272 pages, June 2, 2020, with a review in [Asian Review of Books].

Dominic D. P. Johnson, ***Strategic Instincts: The Adaptive Advantages of Cognitive Biases in International Politics***, Princeton University Press, 392 pages, September 8, 2020, reviewed in [Foreign Affairs].

Virginia Postrel, ***The Fabric of Civilization: How Textiles Made the World***, Basic Books, 320

pages, November 10, 2020, reviewed in [New York Times].

Calls

The **Climate Change: Impacts & Responses Research Network** invites to submit papers for its 14th ***International Conference on Climate Change: Impacts & Responses***, to be held on 7–8 April 2022 in Vancouver, Canada. Submission deadline is 7 June 2021. More details available at [On-Climate].

The European Association for Japanese Studies invites to submit papers for its conference ***Artificial intelligence and the human – Cross-cultural perspectives on science and fiction***, scheduled for 17 and 18 June 2021 in Berlin, Germany. Closing date for submission is 10 February 2021. Further information at [EAJS].

Jobs & positions

The **International Labour Organization** is offering a position of ***National Project Coordinator*** in Cairo, Egypt. Closing date of applications is 27 December 2020. For more details, see [ILO].

The **Center for Strategic and International Studies** is recruiting a ***Program Coordinator*** to support the operational and substantive goals of the Defense-Industrial Initiatives Group (DIIG). More about the vacancy at [CSIS].

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