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USINDOPACOM Legal Vigilance Update

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PREVAIL

Teammates,

Below please find the 65th edition of U.S. Indo-Pacific Command's (USINDOPACOM) Legal Vigilance Update (LVU). To access previous LVUs, please visit <https://www.pacom.mil/Contact/Directory/Jo/Jo6-Staff-Judge-Advocate/>.

Quote of the Week:

“China’s claim of ‘indisputable sovereignty’ over nearly the entire South China Sea, including areas within the West Philippine Sea, as reflected in its so-called ‘nine-dash line,’ has no legal basis under international law. The 2016 Arbitral Award, rendered under the framework of the United Nations Convention on the Law of the Sea (UNCLOS)—to which both the Philippines and China are State Parties—found no legal basis for China’s claims to historic rights within the nine-dash line. The Award remains final and legally binding on the parties.

The Tribunal likewise found that China’s large-scale land reclamation and construction activities on several features at the South China Sea caused severe harm to the marine environment and that certain Chinese actions unlawfully interfered with the Philippines’ exercise of sovereign rights within its Exclusive Economic Zone. Continued interference with lawful Philippine activities, including in the vicinity of Bajo de Masinloc, undermines regional stability...”

[Statement of Asec. Arsenio R. Andolong](#)

Spokesperson, Philippines Department of National Defense

May 20, 2026

• **28 May 2026: United States takes coordinated action to sever the Iranian regime’s access to the revenue streams that fuel its regional aggression and global terrorism.**

- **Bottom-line:** in a coordinated effort, the Department of State sanctioned numerous entities, individuals, and vessels that form the backbone of Iran’s illicit oil economy—while the Department of the Treasury concurrently sanctioned key players in an oil sales network that has moved tens of millions of barrels of Iranian oil worth billions of dollars.

▪ **References:**

- [U.S. Department of State, U.S. Continues Maximum Pressure with Sanctions Targeting Iran’s Shadow Oil Economy \(May 28, 2026\)](#)
- [U.S. Department of the Treasury, Treasury Sanctions Network Supporting Iran’s Oil Exports \(Mar. 20, 2026\)](#)

▪ **Key Points:**

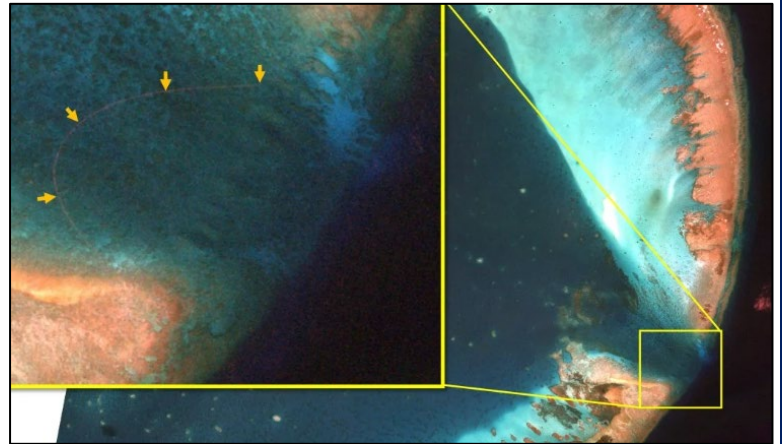
- Of particular note-- the Department of the Treasury’s Office of Foreign Assets Control (OFAC) designated a China-based “teapot” oil refinery and its chief executive officer for purchasing and refining hundreds of millions of dollars’ worth of Iranian



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crude oil, including from vessels linked to the Foreign Terrorist Organization Ansarallah (commonly known as the Houthis) and the Iranian Ministry of Defense of Armed Forces Logistics (MODAFL).

- The Department of State also designated eight vessel management companies for their involvement in the purchase, acquisition, sale, transport, or marketing of petroleum and petrochemical products from Iran—including two Hong Kong-based commercial vessel managers and registered owners for knowingly engaging in a significant transaction for the purchase, acquisition, sale, transport, or marketing of petrochemical products from Iran.
- ***The United States will continue to act against the shippers and traders involved in the trade in Iranian crude oil, and petrochemical products – the regime’s primary sources of income.***
- 1 June 2026: Philippine authorities report that China may have installed a new structure at Scarborough Reef.
 - **Bottom-line:** Secretary of National Defense Gilberto Teodoro Jr. stated that the Philippines is verifying “raw information” suggesting China may have installed a new structure in Scarborough Reef in the South China Sea—with Chief of Staff of the Armed Forces of the Philippines Gen. Romeo Brawner, Jr. stating the military had recently monitored a suspected “small structure” measuring about 6 by 6 square meters inside Scarborough Reef.
 - References:
 - [Frances Mangosing, Philippines Verifying Reports of Structure in Scarborough Shoal \(Naval News, Jun. 1, 2026\)](#)
 - Key Points:
 - This latest report follows news in [April 2026](#) of satellite imagery showing China erecting a floating barrier at the entrance to Scarborough Reef—restricting and disrupting Filipino fishing activity—and China’s [September 2025 unilateral declaration of a national “nature reserve”](#) covering 35km² (approx. 3,500 hectares) at Scarborough Reef.
 - Scarborough Reef is a high tide feature in the South China Sea—over which the Philippines, China and Taiwan make competing claims to sovereignty.
 - Waters beyond 12 nautical miles of Scarborough Reef lie within the Philippines’ EEZ—where the Philippines has sovereign rights and jurisdiction over the living and non-living resources, including fishing.
 - ***If this latest report of a new structure at Scarborough Reef is confirmed, China’s unilateral actions could:***
 - ***complicate and escalate its territorial dispute with the Philippines;***
 - ***contravene its commitments to its ASEAN neighbors in the 2002 Declaration on the Conduct of the Parties “to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability;” and***
 - ***contradict its obligations to comply with the legally binding 2016 Arbitral Tribunal Award.***



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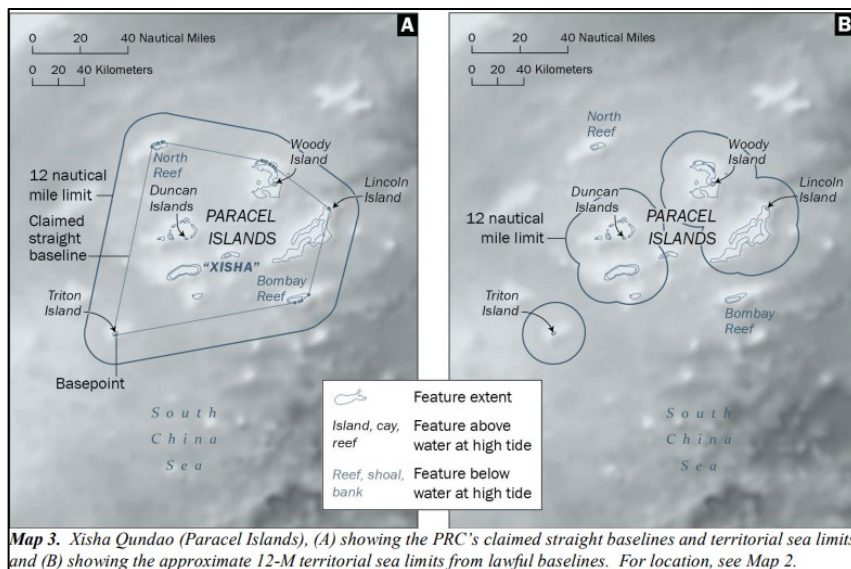
- China has a documented pattern of aggressive and unlawful behavior in the South China Sea, which undermines regional stability and forms part of a larger strategy to “win without fighting” by advancing excessive maritime claims and eroding international legal norms.
- 27 May 2026: China claims to use electronic warfare to drive a Royal Netherlands Navy vessel away from the Paracel Islands.
 - **Bottom-line:** in yet another example of its destabilizing behavior and disregard for freedom of navigation and overflight wherever international law allows—China claimed to have driven the Royal Netherlands Navy De Zeven Provinciën-class frigate HNLMS De Ruyter (F804) from the Paracel Islands.

- References:

- [Aaron-Matthew Lariosa, Chinese Use Electronic Warfare Attacks on Dutch Warship in South China Sea, Says PLA \(May 27, 2026\)](#)

- Key Points:

- HNLMS De Ruyter (F804) is deployed to the Indo-Pacific for Amsterdam’s five-month-long Pacific Archer mission—aiming to promote freedom of navigation and foster ties with allies and partners.
- China has drawn straight baselines (purporting to enclose all the waters within as internal waters) around the Paracel Islands in the South China Sea—but [this claim is inconsistent with international law as the Paracels do not meet the geographic criteria for straight baselines](#) reflected in Article 7 of UN Convention on the Law of the Sea.
- **Numerous States, including Australia, Japan, New Zealand, the Philippines, Vietnam, the United Kingdom, and the United States have protested China’s baselines around the Paracel Islands as inconsistent with international law as reflected in UNCLOS.**



Map 3. Xisha Qundao (Paracel Islands), (A) showing the PRC's claimed straight baselines and territorial sea limits and (B) showing the approximate 12-M territorial sea limits from lawful baselines. For location, see Map 2.

- 26 May 2026: Foreign Ministers of Australia, India, Japan and the Secretary of State of the United States met in New Delhi, India, on 26 May 2026, for the 11th Quad Foreign Ministers’ Meeting.
 - **Bottom-line:** the Quad Ministers/Secretary of State reaffirmed their commitment to a free and open Indo-Pacific, announcing key new initiatives to strengthen maritime and transnational security, as well as economic prosperity and security.
 - References:
 - [U.S. Department of State, Joint Statement from the Quad Foreign Ministers’ Meeting in New Delhi \(May 26, 2026\)](#)
 - Key Points:
 - The Ministers/Secretary reaffirmed:

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- “that **peace, stability, and prosperity of the Indo-Pacific hinges on upholding international law, and the peaceful resolution of disputes;**”
- Their shared “commitment to defending the rule of law, sovereignty, and territorial integrity;” and
- Their opposition to “any destabilizing or unilateral actions that seek to change the status quo, including by force or coercion, which escalate tensions and undermine regional peace and stability.”



- With respect to the South China Sea and East China Sea, the Ministers/Secretary said:

“We remain seriously concerned about the situation in the East China Sea and the South China Sea. We reiterate our **strong opposition to any destabilizing or unilateral actions including by force or coercion** that threaten peace and stability in the region. We express our serious concerns regarding dangerous and coercive actions, including interference with offshore resource development, the repeated obstruction of freedom of navigation and overflight, and the dangerous maneuvers by military aircraft and coast guard and maritime militia vessels, especially the unsafe use of water cannons and flares, and ramming or blocking actions in the South China Sea. We are **seriously concerned by the militarization of disputed features.**”
- The Ministers/Secretary also voiced strong support for freedom of navigation and overflight, stating:

“We emphasize the importance of upholding freedom of navigation and overflight, other lawful uses of the sea, and unimpeded commerce consistent with international law, as reflected in UNCLOS. We reaffirm that **maritime disputes must be resolved peacefully and in accordance with UNCLOS, and reiterate that the award rendered ten years ago by the Arbitral Tribunal is a significant milestone and the basis for peacefully resolving disputes between the parties.**”

- 30 May 2026: United States and Philippine leaders reaffirm commitment to mutual defense.

- **Bottom-line:** Secretary of War Pete Hegseth met with Philippine Secretary of National Defense Gilberto Teodoro, Jr. on May 30 to reaffirm their ironclad commitment to the U.S.-Philippine Mutual Defense Treaty and shared determination to ensure a stable peace in the Indo-Pacific.

- References:

- [U.S. Department of War, Readout of Secretary of War Pete Hegseth's Meeting With Philippine Secretary of National Defense Gilberto Teodoro, Jr. \(May 30, 2026\)](#)
- [IISS Shangri-La Dialogue 2026, Panel: Evolving Security Partnerships in a Fragmented World \(May 30, 2026\)](#)

- Key Points:

- Secretary Hegseth and Secretary Teodoro reaffirmed their shared commitment to strengthening deterrence in the South China Sea, and announced the signing of a new 15-year Communications Interoperability and Security Memorandum of Agreement (CISMOA) to streamline secure information sharing.



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- The meeting occurred on the sidelines of the 2026 Shangri-La Dialogue in Singapore.
- In a separate appearance during the Shangri-La Dialogue, Secretary Teodoro made the following remarks:

“[T]his year marks the 10th anniversary of the Arbitral Award of the South China Sea. This landmark ruling affirmed the fundamental principle that maritime entitlements are derived not from ‘historic rights’ but from international law—particularly the 1982 United Nations Convention on the Law of the Sea. As President Ferdinand R. Marcos, Jr. stated in his historic keynote address at the 21st Shangri-La Dialogue, ‘In the West Philippine Sea, we are on the front lines of efforts to assert the integrity of UNCLOS as a constitution of the oceans.’ With our defense of international law and strategic location—unlike any other—***the Philippines has emerged as a hub for a convergence among those committed to...shared principles, including freedom of the seas, respect for the rule of law (particularly the rights of smaller and archipelagic states), sovereignty, and territorial integrity of all states—which must be based on international law and UNCLOS.***”

- Secretary Teodoro introduced a Philippines defense vision called “**Archipelagic Sentinel—A Guardian of the Freedom of the Seas.**”
- Rooted in the safeguarding of maritime security and the legal and physical infrastructure that enables freedom of the seas, Secretary Teodoro said Archipelagic Sentinel comprises **four principles**:
 - Sovereignty and territorial integrity—the Philippines will maintain the absolute integrity of its lands, waters, and resources as recognized in international law.
 - International law—the Philippines will continue to adhere to international law and the peaceful settlement of disputes, including the UN Charter, UNCLOS, and the 2016 Arbitral Award.
 - ASEAN centrality—the Philippines will defend the autonomy of ASEAN member states and ensure that Southeast Asia remains peaceful, stable, and free from undue influence of any hegemon that has interests that are antagonistic toward ASEAN member states.
 - Deterrence—the Philippines will continue to work with countries that share the goal of protecting the rights and interests under UNCLOS.

- 28 May 2026: Japan and the Philippines elevate bilateral relations to Comprehensive Strategic Partnership.
 - **Bottom-line**: Philippine President Ferdinand R. Marcos, Jr. and Japan Prime Minister Sanae Takaichi formally announced the elevation of bilateral ties to a “comprehensive strategic partnership”—the second-highest tier of relations in Japan’s diplomatic nomenclature, below a formal military alliance.

- References:

- [Japan-Philippines Joint Statement on the Comprehensive Strategic Partnership: “Weaving the Future Together: Peace, Prosperity, Possibilities” \(May 28, 2026\)](#)
- [Gabriel Dominguez and Jesse Johnson, Japan and Philippines agree to elevate ties to new level amid China concerns \(The Japan Times, May 28, 2026\)](#)

- Key Points:

- The shift made the Philippines the latest Southeast Asian nation, after Indonesia and Vietnam, to agree on such a status with Tokyo.
- Elevation to a Comprehensive Strategic Partnership follows the signing of a Philippines-Japan Reciprocal Access Agreement in 2024—facilitating the



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deployment of forces on each other's territory for exercises—as well as conclusion earlier this year of a pact allowing the two countries' militaries to share fuel, food, and logistical support to facilitate joint and multilateral operations.

- ***Analysts view these changes as largely driven by growing concerns over Beijing's intensifying “gray-zone” assertiveness in the East China Sea and South China Sea.***
- In announcing the upgrade in relations, President Marcos and Prime Minister Takaichi “underscored their commitment to strengthening and developing a sustainable and multi-layered partnership as Comprehensive Strategic Partners and like-minded nations that share fundamental values and principles.”