



USINDOPACOM Legal Vigilance Update

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PREVAIL

Teammates,

Below please find the 52nd 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:

“What connects ports, pipelines, and hospitals today is not just concrete or code. It is the invisible scaffolding of standards. They determine how machines talk to one another, how systems recover after failure, and how foreign hardware gets embedded in critical infrastructure without raising alarms.

Most of these rules are not set by governments but by a patchwork of international committees where industry representatives do much of the talking. Over the past decade, China has treated these committees as terrain worth claiming. Its companies show up to international forums. Its ministries coordinate positions. Its engineers write the specifications that others quietly adopt. As a result, China has been able to shape the protocols that define everything from 6G wireless to industrial automation...

And with each new standard that quietly gets adopted, Beijing gains another lever over global systems that enable trade, finance, logistics, and military mobility—and the impending integration of artificial intelligence (AI) across these systems as well.”

Laura Galante & Tal Feldman

[The Lawfare Institute](#)

October 23, 2025

- 19 October 2025: Australia reports unsafe and unprofessional interaction with a People's Liberation Army–Air Force (PLA-AF) aircraft.
 - **Bottom-line:** on 19 October 2025, *a PLAAF Su-35 fighter released flares twice near an Australian P-8A aircraft conducting a routine maritime surveillance flight in international airspace near the Paracel Islands – a maneuver that Australia deemed to be unsafe and unprofessional as it posed a risk to the aircraft and its personnel.*

- References:

- [Statement on unsafe and unprofessional interaction with People's Liberation Army–Air Force \(Australian Defence Media, Oct. 20, 2025\)](#)
- [Dzirhan Mahadzir, Chinese](#)



A Royal Australian Air Force P-8A Poseidon. Royal Australian Air Force photo

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[Fighter Drops Flares Near Australian P-8 in 'Unsafe and Unprofessional' Interaction Over South China Sea \(USNI News, Oct. 21, 2025\)](#)

- Key Points:
 - According to Australia, the PLAAF's Su-35 twice released flares very close to the P-8A.
 - In condemning the behavior of the PLAAF aircraft, **Australia said that it “expects all countries, including China, to operate their militaries in a safe and professional manner.”**
 - Australia noted that, “for decades, [Australia] has undertaken maritime surveillance activities in the region and does so in accordance with international law, exercising the right to freedom of navigation and overflight in international waters and airspace.”
 - According to the [U.S. Department of War's 2024 China Military Power Report](#), “the PLA continues to conduct unsafe maneuvers in the vicinity of allied forces operating in the region,” noting that:

“The PRC’s messaging regarding its forces’ operational behavior, such as claiming it is “justified to take forceful countermeasures” against activities that Beijing labels “provocative,” suggests centralized coordination, not the behavior of a few isolated PLA officers. The goal of the PLA’s behavior during these events is to pressure the United States and other nations to reduce or cease lawful operations near areas where Beijing claims territorial sovereignty.”

- 13 October 2025: Beijing takes its misrepresentative “one-China principle” influence campaign on the road.
 - **Bottom-line:** according to the Jerusalem Post, on 22 October 2025 the Chinese embassy in Israel hosted a three-hour meeting on the “Taiwan Question,” during which it perpetuated the misleading narrative that UNGAR 2758 confirmed China’s territorial sovereignty over Taiwan — **a coercive and factually inaccurate attempt to provide international legitimacy to China’s sovereignty claims.**
 - References:
 - [Mathilda Heller, “Israel should respect One China,” Chinese embassy tells “Post” \(The Jerusalem Post, Oct. 23, 2025\)](#)
 - Key Points:
 - The newspaper reported that: “The [Chinese Embassy’s] overarching message was that Taiwan is part of China and never has been or can be an independent state in the view of the PRC. Any international moves to recognize Taiwan are to be viewed as a ‘red line’ by China, and such efforts on Israel’s part could have deleterious consequences for bilateral diplomatic relations.”
 - In fact, while UNGAR 2758 recognized the People’s Republic of China representatives as “the only legitimate representatives of China to the United Nations,” UNGAR 2758 did not establish China’s sovereignty over Taiwan, endorse China’s “one China principle,” or bar Taiwan’s meaningful participation in international forums.
 - Articulation of the facts of UNGAR 2758 — i.e. that it does not establish or affirm China’s claim that Taiwan is an inalienable part of China’s territory, nor does it bar Taiwan from meaningful participation in international organizations — can serve an important function in countering China’s lawfare.
 - **In contrast to China’s coercive “one China principle,” the United States maintains a longstanding one China policy rooted in an abiding interest in peace and stability across the Taiwan Strait — with the expectation that cross-Strait differences will be resolved by peaceful**

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means, free of coercion, in a manner acceptable to the people on both sides of the Strait...and with firm support for Taiwan's meaningful participation in international organizations, including membership where applicable.

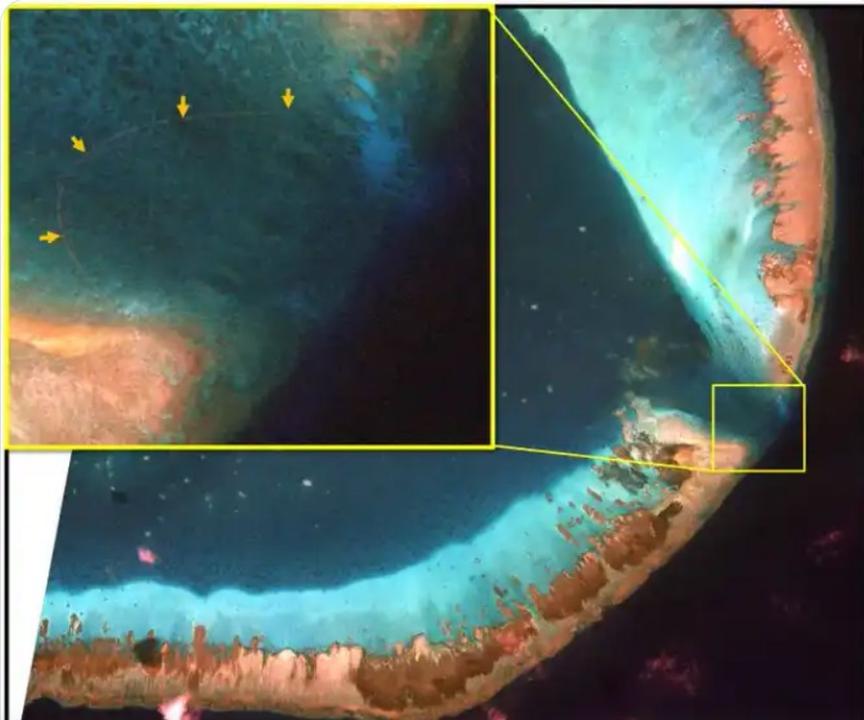
- 11 October 2025: satellite image appears to show China-installed floating barrier at mouth of Scarborough Reef.
 - **Bottom-line:** new high-resolution satellite imagery appears to show a new China-installed floating barrier blocking the entrance to the lagoon at Scarborough Reef—in what may be the latest effort by China to unlawfully prevent Filipino fishermen and others from engaging in traditional fishing at Scarborough Reef.

- References:

- [Laura Zhou, China deploys new floating barrier at Scarborough Shoal, satellite image shows \(South China Morning Post, Oct. 22, 2025\)](#)
- [Micah McCartney, Satellite Photo Shows China Blocking Disputed Territory \(Newsweek, Oct. 22, 2025\)](#)

- Key Points:

- The barrier is visible in a photo captured October 8 and released by satellite imagery provider SkyFi to [Ray Powell](#), a maritime analyst who heads Stanford University-affiliated analysis group SeaLight.
- This report comes after China's announcement on 10 September 2025 that it had established a "national nature reserve" at Scarborough Reef.
- Both the U.S. and the Philippines condemned China's nature reserve as yet another coercive attempt to advance sweeping territorial and maritime claims in the South China Sea at the expense of its neighbors, including by preventing Filipino fishermen from accessing these traditional fishing grounds.
- ***If confirmed, China's installation of a barrier preventing access to Scarborough Reef's lagoon would be the latest example of its increasingly destabilizing behavior in the South China Sea and contradictory to the 2016 Arbitral Tribunal and 2002 Declaration on the Conduct of Parties (DOC).***
 - The 2016 Arbitral Tribunal concluded that "China has, through the operation of its official vessels at Scarborough Reef from May 2012 onwards, unlawfully prevented Filipino fishermen from engaging in traditional fishing at Scarborough Reef."
 - The DOC—to which both China and the Philippines are parties—states that the "Parties undertake to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability."



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- **October 2025: *Philippine documentary details China’s reckless and unlawful behavior in South China Sea.***
 - **Bottom-line:** “*Food Delivery: Fresh from the West Philippine Sea*” is a documentary about the bravery and courage of the members of the Armed Forces of the Philippines, Philippine Coast Guard, and Filipino fisherman defending the nation’s maritime sovereign rights in the face of increased intimidation, interference, and recklessness by China’s Coast Guard and maritime militia.
 - **References:**
 - [Carla Teng-Westergaard, *Banned in Manila, Premieres in NZ: The West Philippine Sea Film That Couldn’t Be Silenced* \(Asia Media Centre, Jun. 17, 2025\)](#)
 - [Ray Powell & Jim Carouso, *Why Should We Care About the West Philippine Sea Film that China is Trying to Block? with Baby Ruth Villarama* \(RSS.com Podcast, Oct. 21, 2025\)](#)
 - **Key Points:**
 - “*Food Delivery: Fresh from the West Philippine Sea*” documents the courage and sacrifice of the Filipino people as they seek to uphold the rule of law and defend their maritime sovereign rights, including their traditional fishing rights in the South China Sea.
 - China has repeatedly tried to block the showing of the documentary both in the Philippines and internationally, demonstrating the brazenness of China’s global efforts to suppress truthful narratives that expose China’s destabilizing actions.
 - [U.S. Ambassador to the Philippines MaryKay Carlson](#) attended the premiere screening of the documentary in July 2025, declaring that “this thought-provoking movie illustrates the importance of working together for a free and open Indo-Pacific.”
 - The film is currently showing in the [Hawai’i International Film Festival](#).
 - ***The documentary is an important contribution in the effort to shine a light on China’s destabilizing behavior and unlawful interference in the South China Sea—actions that contradict UNCLOS, the 2002 Declaration on Conduct, and the 2016 Arbitral Tribunal ruling.***
 - **22 October 2025:** multilateral partners expose DPRK’s escalating sanctions evasion through cyber operations and IT worker networks.
 - **Bottom-line:** the Multilateral Sanctions Monitoring Team (MSMT) released a new report highlighting the Democratic People’s Republic of Korea’s (DPRK) violations and evasions of United Nations Security Council resolutions (UNSCRs) through cyber operations and information technology (IT) worker activities.
 - **References:**
 - [Joint Statement of the Multilateral Sanctions Monitoring Team \(MSMT\) on the Report Covering DPRK Cyber and IT Worker Activities \(U.S. Department of State, Oct. 22, 2025\)](#)
 - **Key Points:**
 - The MSMT’s [latest report](#) details the deep connections between UN-designated DPRK entities and the DPRK’s malicious cyber activities, including cryptocurrency theft, fraudulent IT work, and cyber espionage.



FOOD DELIVERY: FRESH FROM THE WEST PHILIPPINE SEA

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- The statement condemned North Korea's systematic evasion tactics—including cyber-enabled theft, cryptocurrency laundering, and overseas IT worker schemes—which directly fund its unlawful weapons of mass destruction and ballistic missile programs.
- The governments making up the MSMT—including the U.S., Australia, Canada, France, Germany, Italy, Japan, the Netherlands, New Zealand, the Republic of Korea, and the United Kingdom—reaffirmed their shared commitment to monitor the implementation of UNSCRs relating to the DPRK and expose ongoing attempts to violate and evade UN sanctions.