



USINDOPACOM Legal Vigilance Update

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PREVAIL

Teammates,

Below please find the 54th 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:

When I was with many of you at the Shangri-La Dialogue, I noted in my remarks that China's behavior toward its neighbors and the world was a wake-up call, which it is. I shared examples of intimidation, harassment, and illegal actions occurring in your sovereign waters across the South China Sea. Unfortunately, in the months since then, China's destabilizing actions have only increased. You've seen it – the world has seen it – it's on video tape.

Some of you have been on the active and receiving end of it. Ramming and blasting water cannons, and baselessly claiming that there's trespassing going on. Unlawfully claiming jurisdiction over waters that are not theirs to claim. Attempting to regulate and limit peaceful military actions by other nations. And we recently saw Beijing's unjustifiable claim of Scarborough Reef as a "nature reserve," in yet another attempt to coerce you and advance territorial and maritime claims in the South China Sea at your expense.

China's sweeping territorial and maritime claims in the South China Sea fly in the face of their commitments to resolve disputes peacefully.

Dialogue is important – but inside that dialogue we are most importantly watching action. We seek peace – we do not seek conflict – but we must ensure that China is not seeking to dominate you or anybody else.

U.S. Secretary of War Pete Hegseth

[Remarks at ASEAN Defense Ministers Meeting, Kuala Lumpur, Malaysia](#)

November 1, 2025

- 1 November 2025: Defense Ministers from Australia, Japan, the Philippines, and the United States meet.
 - **Bottom-line**: the defense leaders reaffirmed their commitment to a shared vision for a free and open Indo-Pacific, and their shared determination to ensure peace and stability in the region.
 - References:
 - [Joint Readout of the Meeting of Defense Ministers From Australia, Japan, the Philippines, and the United States \(Nov. 3, 2025\)](#)
 - Key Points:
 - Australian Deputy Prime Minister and Minister for Defense Richard Marles, Japanese Minister of Defense Koizumi Shinjiro, Philippine Secretary of National Defense Gilberto Teodoro, Jr., and United States Secretary of War Pete Hegseth met together on November 1, 2025 in Kuala Lumpur, Malaysia.



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- The Ministers and Secretaries reiterated their serious concern regarding China's destabilizing actions in the East China Sea and the South China Sea, and their strong opposition to any unilateral attempts to change the status quo by force or coercion.
- The defense leaders underscored the importance of upholding international law and freedom of navigation and overflight, as reflected in the United Nations Convention on the Law of the Sea, and reaffirmed that the 2016 South China Sea Arbitral Award is final and legally binding on the parties to the proceeding.
- The defense leaders applauded the entry into force of the Reciprocal Access Agreement between Japan and the Philippines, which directly enables deeper bilateral and multilateral defense relationships.

- 30 October & 6 November 2025: senior Department of War leaders reinforce shared commitment to peace and stability in the South China Sea during meetings with Malaysian and Philippine counterparts.

- **Bottom-line:** in meetings with their Malaysian and Philippine counterparts, *the U.S. Secretary of War Pete Hegseth and the Chairman of the Joint Chiefs of Staff Gen. Dan Caine reaffirmed the U.S. commitment to a free and open Indo-Pacific, and the shared commitment to peace, security, and prosperity.*

- References:

- [Joint Chiefs of Staff, Readout of the Chairman of the Joint Chiefs of Staff Gen. Dan Caine's Meeting with the Chief of Staff of the Armed Forces of the Philippines Gen. Romeo Brawner Jr. \(Nov. 6, 2025\)](#)
- [U.S. Embassy in Malaysia, Joint Media Statement on United States-Malaysia Bilateral Meeting \(Oct. 30, 2025\)](#)

- Key Points:

- On November 5, 2025, Chairman of the Joint Chiefs of Staff Gen. Dan Caine met with Chief of Staff of the Armed Forces of the Philippines Gen. Romeo Brawner Jr. during a visit to Camp Aguinaldo, Manila, Philippines.
- Gen. Caine and Gen. Brawner Jr. reaffirmed their commitments to a free and open Indo-Pacific, recognizing the U.S.-Philippine Alliance as a cornerstone of regional security.
- The military leaders also underscored their shared determination to re-establish deterrence in the region and maintain stability in the South China Sea.
- In a separate engagement on the sidelines of the ASEAN Defense Ministers' Meeting-Plus on October 30, 2025, the U.S. Secretary of War and the Minister of Defense of Malaysia reinforced their commitment to regional peace and stability through continued cooperation on shared security challenges, stating:

The Secretary and Minister agreed ***the South China Sea is a vital maritime corridor linking the region with the rest of the world, where respect for sovereignty is imperative.*** Both leaders reaffirmed their commitment to maritime security in the South China Sea.

- 2 November 2025: Canada and the Philippines sign a Status of Visiting Forces Agreement (SOVFA).

- **Bottom-line:** the SOVFA marks a new chapter in Canada-Philippines defense cooperation, enabling greater engagement, cooperation, and collaboration between both nations — and will allow the Canadian Armed Forces and the Armed Forces of the Philippines to work more closely together through participation in joint and multinational operations and exercises in each other's territories.



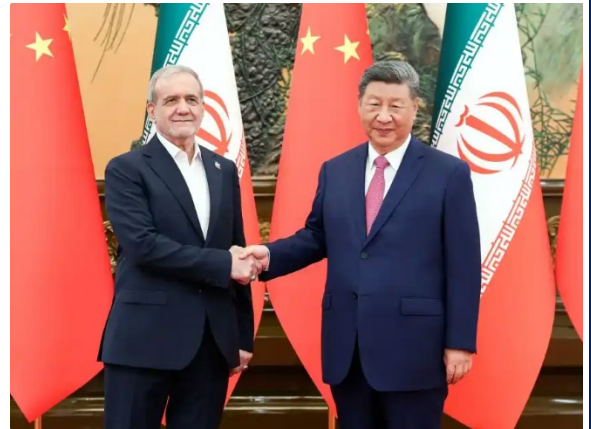
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- References:
 - [Government of Canada News Release, *Canada and the Philippines Sign a Status of Visiting Forces Agreement \(Nov. 2025\)*](#)
- Key Points:
 - The SOVFA builds on the Canada-Philippines Defense Cooperation Memorandum of Understanding signed in January 2024, which enables cooperation in military education, training, capacity building, UN peacekeeping, and Humanitarian Assistance and Disaster Relief.
 - The Philippines has been a member of Canada’s Military Training and Cooperation Program since 1998, with over 400 military and defense personnel trained through the program.
 - ***The SOVFA demonstrates Canada’s and the Philippines’ long-term commitment to support peace, security and stability in the Indo-Pacific.***

- 31 October 2025: new report details how China-originating shipments are helping Iran rearm.
 - ***Bottom-line: CNN reports that “intelligence sources say several shipments of sodium perchlorate—the main precursor in the production of the solid propellant that powers Iran’s mid-range conventional missiles—have arrived from China to the Iranian port of Bandar Abbas since the so-called ‘snapback’ mechanism was triggered at the end of September.”***

- References:
 - [Melissa Bell & Gianluca Mezzofiore, *Western intelligence says Iran is rearming despite UN sanctions, with China’s help \(CNN, Oct. 31, 2025\)*](#)

- Key Points:
 - According to the report: “[S]ources say the shipments, which began arriving on September 29, contain 2,000 tons of sodium perchlorate bought by Iran from Chinese suppliers in the wake of its 12-day conflict with Israel in June. The purchases are believed to be part of a determined effort to rebuild the Islamic Republic’s depleted missile stocks. Several of the cargo ships and Chinese entities involved are under sanctions from the United States.”
 - The reported deliveries come after the [United Nations reimposed sanctions](#) and other restrictions pursuant to six UN Security Council Resolutions – 1696, 1737, 1747, 1803, 1835, and 1929 – based on Iran’s continuing “significant non-performance” of its nuclear commitments.
 - The provisions enumerated in the restored UN Security Council Resolutions address the threats posed by Iran’s nuclear, ballistic missile, conventional arms, and destabilizing activities – notably, authorizing the seizure of weapons and other prohibited cargo being transferred by Iran to state and non-state actors.
 - The shipped substance – sodium perchlorate – is a direct precursor of ammonium perchlorate, a listed and prohibited oxidizer used in ballistic missiles.
 - This is not the first time China-based entities have been linked to Iran’s illicit missile program – [in April 2025, the U.S. Department of the Treasury’s Office of Foreign Assets Control \(OFAC\) designated six entities and six individuals](#) based in Iran and China for their role in a network procuring sodium perchlorate on behalf of Iran’s Islamic Revolutionary Guard Corps.



Chinese President Xi Jinping meets with Iranian President Masoud Pezeshkian at the Great Hall of the People in Beijing, China, in September. (Yao Dawei/Xinhua/Getty Images)

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- 7 November 2025: **Japan's Prime Minister reportedly states that a Taiwan contingency could constitute a "survival-threatening situation" under Japanese law.**
 - **Bottom-line:** Prime Minister Sanae Takaichi reportedly said that a Taiwan emergency involving the use of military force could constitute a "survival-threatening situation" for Japan under the country's security legislation.
 - References:
 - ["Taiwan contingency" could prompt Japanese armed reaction: Japan PM \(Taipei Times, Nov. 8, 2025\)](#)
 - Key Points:
 - According to the report, Prime Minister Takaichi said, "If warships are used and other armed actions are involved, I believe this could constitute a survival- threatening situation."
 - Under Japanese law ([Article 2 of the Armed Attack and Existential Crisis Situations Law](#)), a **"survival-threatening situation" is "a situation in which an armed attack against a foreign country that has a close relationship with Japan occurs, and as a result, threatens Japan's survival and poses a clear danger of fundamentally overturning people's right to life, liberty and pursuit of happiness."**
 - In the event of a "survival-threatening situation," Japan's law allows for **collective self-defense** — or, as Article 2 specifies, the "use of force, deployment of units or other personnel, and other actions taken by the Self-Defense Forces necessary to repel armed attacks against a foreign country that has a close relationship with Japan."
- 5 November 2025: U.S. supports Taiwan's "full and equal participation" when China hosts 2026 Asia Pacific Economic Cooperation (APEC).
 - **Bottom-line:** a spokesperson for the U.S. Department of State said **"the United States insists on the full and equal participation of all APEC member economies – including Taiwan, referred to as Chinese Taipei in APEC – consistent with APEC's guidelines, rules and established practice, as affirmed by China in its offer to host in 2026."**
 - References:
 - [Taiwan must be allowed equal participation when China hosts APEC, US says \(Reuters, Nov. 5, 2025\)](#)
 - Key Points:
 - Taiwan is a member of APEC and next November's summit will be held in Shenzhen, China.
 - China's foreign ministry said this week that Taiwan's participation in APEC activities must comply with the "one China principle" — a reference to China's false and misrepresentative claim that UNGAR 2758 established Taiwan as an inalienable part of China's territory and that Taiwan is barred from meaningful participation in international organizations.
 - In response, a U.S. State Department spokesperson said that APEC members had agreed by consensus last year to China's offer to host APEC in 2026, and APEC members remain committed to all members (including Taiwan) participating on an equal footing in all APEC events.
 - The United States will continue to support Taiwan's meaningful participation in international organizations, including membership where applicable.
- 4 November 2025: U.S. Department of the Treasury sanctions DPRK bankers and institutions involved in laundering money to fund the regime's illicit weapons program.



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- **Bottom-line:** the Department of the Treasury's OFAC sanctioned eight individuals and two entities for their role in laundering funds derived from a variety of illicit Democratic People's Republic of Korea (DPRK) schemes, including cybercrime and information technology (IT) worker fraud.
 - References:
 - [U.S. Department of State Press Statement, *Disrupting Illicit DPRK Bankers and Institutions Laundering Cybercrime and IT Worker Funds* \(Nov. 4, 2025\)](#)
 - [U.S. Department of the Treasury Press Release, *Treasury Sanctions DPRK Bankers and Institutions Involved in Laundering Cybercrime Proceeds and IT Worker Funds* \(Nov. 4, 2025\)](#)
 - Key Points:
 - North Korean state-sponsored hackers steal and launder money to fund Pyongyang's illicit weapons development program, directly threatening U.S. and global security.
 - The United States strongly condemns the activities of entities associated with the DPRK, including those supporting the DPRK's WMD and ballistic missile programs in violation of multiple UN Security Council resolutions (UNSCRs) and enabling associated sanctions-evasion activities.
 - ***The DPRK's malicious cyber activities and generation of revenue to fund its unlawful WMD and ballistic missile programs through cybercrime — including cryptocurrency heists — pose a threat to US citizens, international security and the global digital economy.***
 - The Department of Treasury actions were taken pursuant to Executive Orders 13551; 13694 as further amended by 13757, 14144, and 14306; 13722; and 13810.