



USINDOPACOM Legal Vigilance Update

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PREVAIL

Teammates,

Below please find the 62nd 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:

“The law of naval warfare leaves no doubt that the torpedoing of the [IRIS] DENA by the [USS] CHARLOTTE was lawful as a matter of location and targeting. Enemy warships qualify as military objectives and are accordingly subject to attack whenever found outside neutral waters. Neither the fact that the DENA was in Sri Lanka’s [exclusive economic zone] nor that it had been performing ceremonial functions alters that fundamental rule. The same is true regarding the claim that it was unarmed. And the fact that a submarine was used as the platform from which to mount the attack triggered no constraints beyond those that would apply to surface warships, such as proportionality and precautions in attack. Those were certainly satisfied.”

Sinking Iran’s Frigate IRIS Dena and the Law of Naval Warfare

Michael Schmitt and Elizabeth Hutton, Just Security

March 8, 2026

- **19 March 2026:** President Trump and Japan’s Prime Minister Sanae Takaichi reaffirm the strength of the U.S.-Japan Alliance.

- **Bottom-line:** meeting at the White House, President Donald J. Trump and Prime Minister Sanae Takaichi announced new initiatives to strengthen the U.S.-Japan Alliance, enhance economic security, and bolster deterrence to advance a free and open Indo-Pacific.

- **References:**

- [*Fact Sheet: President Donald J. Trump Strengthens U.S.-Japan Alliance for the Benefit of All Americans \(The White House, Mar. 19, 2026\)*](#)

- **Key Points:**

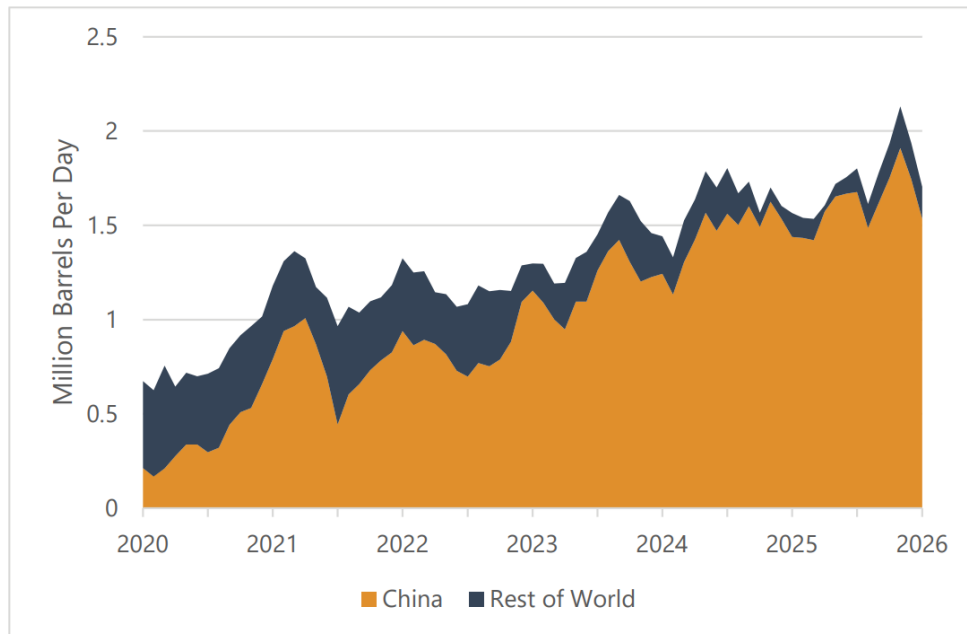
- The United States welcomed Japan’s commitment to rapidly strengthen its own defense capabilities, increase its defense budget, and continue partnering with U.S. forces in Japan and the region.
- The United States and Japan affirmed their commitment to deploying advanced capabilities in Japan to enable a strong denial defense posture.
- ***The two leaders also committed to peace and stability across the Taiwan Strait as an indispensable element of regional security and global prosperity, supported the peaceful resolution of cross-Strait issues through dialogue, and opposed any attempts to unilaterally change the status quo, including by force or coercion.***
- The United States and Japan reaffirmed their commitment to the complete denuclearization of North Korea and to enhance the Japan-U.S.-ROK partnership.



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- **16 March 2026:** U.S.-China Economic and Security Review Commission releases report detailing China-Iran relationship.
 - **Bottom-line:** in a new Fact Sheet, the U.S.-China Economic and Security Review Commission labels *the China-Iran relationship a “broad strategic partnership encompassing economic, diplomatic, and security dimensions, much of which runs directly counter to U.S. foreign policy and national security interests.”*
 - **References:**
 - [China-Iran Fact Sheet: A Short Primer on the Relationship \(U.S.-China Economic and Security Review Commission, Mar. 16, 2026\)](#)
 - **Key Points:**
 - According to the Commission, “China views Iran as a partner in balancing U.S. influence in the Middle East and seeking to erode the U.S.-led global order, and as a key supplier of discounted energy resources.”
 - The Commission notes that “China helps Iran evade U.S. sanctions and maintain its destabilizing activities in the Middle East.”
 - China is Iran's largest trading partner and the main buyer of its oil, providing revenue that supports the Iranian government and military, all of which is part of a 25-year strategic agreement between the two countries.
 - The Commission writes:
“China, Iran, Russia, and North Korea are increasingly resembling an informal **Axis of Autocracy**. Brought together by a shared desire to challenge U.S. global leadership and reshape elements of the international system to be more conducive to authoritarian forms of government, this partnership emboldens each actor to take more provocative actions, believing that mutual support will help them withstand the consequences.”

Figure: Iranian Crude Oil Export Destination (Three-Month Moving Average), January 2020–January 2026



Note: This source estimates exports and ship-to-ship transfers of Iranian oil and gas condensate using the automatic identification system (AIS), satellite imagery, vessel comparison and tanker classification, and cargo datasets.

Source: United Against Nuclear Iran, “Iran Tanker Tracker.”

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- **7 March 2026:** China People's Liberation Army Navy (PLAN) vessel reportedly directs fire control radar at Philippine Navy frigate operating in South China Sea.
 - **Bottom-line:** according to reports, a PLAN corvette pointed its fire control radar at a Philippine Navy frigate in the vicinity of Sabina Shoal—a reckless action that risks miscalculation and further destabilization in the region.

- **References:**

- [Aaron-Matthew Lariosa, Chinese Warship Locks Fire Control Radar on Philippine Warship, Manila Says \(USNI News, Mar. 20, 2026\)](#)

- **Key Points:**

- The Philippines Naval Defense Command stated: “China’s use of a targeting radar against a Philippine Navy vessel is an alarming and escalatory act. This behavior reflects a pattern of coercion that endangers lives, disrupts lawful operations and challenges the sovereignty of coastal states.”
- Warships rely on fire control radars to target their various gun and missile systems—and the use of these radars often precedes the firing of such weapon systems, potentially indicating an immediate threat to the targeted vessel or aircraft.
- According to the [San Remo Handbook on Rules of Engagement](#), military forces could perceive the aiming or directing of weapons—or illumination with radar or laser designators—to indicate hostile intent.
- Philippine military chief of staff Gen. Romeo Brawner Jr. noted: “China’s conduct is comparable to aiming a firearm at a person.”
- ***The PLAN corvette’s reckless direction of its fire control radar at a Philippine frigate risks miscalculation and threatens peace and stability in the region.***



Philippine Navy BRP Miguel Malvar (FFG-6) on April 8, 2025. Philippine Navy Photo

- **25 March 2026:** China PLAN vessel executes unsafe and unprofessional maneuver against Philippine Navy vessel.
 - **Bottom-line:** Philippine Navy Western Command said a PLAN vessel “executed an unsafe and unprofessional maneuver by closing in and passing [a Philippine Navy vessel] at a dangerously close distance.”

- **References:**

- [Martin Sadongdong, PH Navy crew thwarts near-collision with Chinese frigate off Pag-asa Island \(Manila Bulletin, Mar. 27, 2026\)](#)
- [Aaron-Matthew Lariosa, Philippine Navy Ship Avoids Collision During Chinese Frigate Harassment in South China Sea \(USNI News, Mar. 27, 2026\)](#)

- **Key Points:**

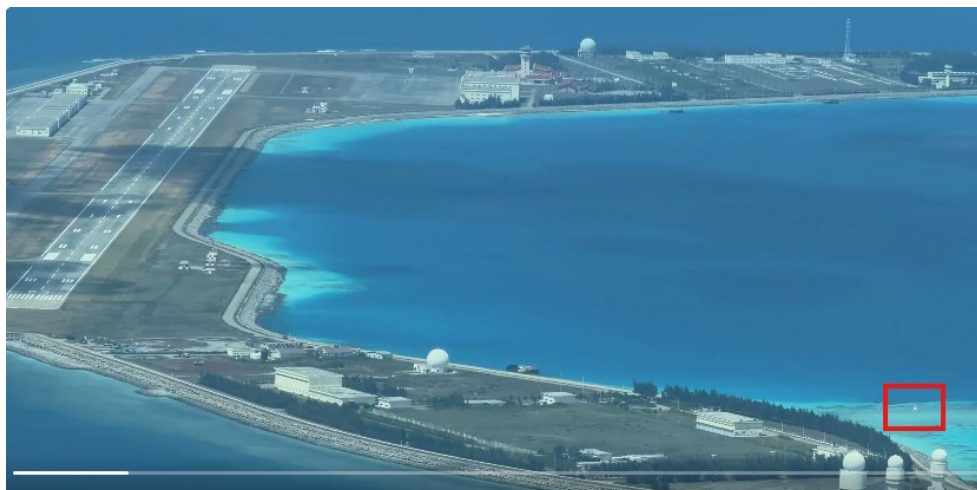
- The Philippine Navy’s BRP *Benguet* (LS507)—a World War II-era landing ship tank—was harassed by PLAN Type 054A-class guided-missile frigate *Binzhou* (532) near Thitu Island.
- PLAN’s *Binzhou* executed an “unsafe and unprofessional maneuver” that required Philippine sailors to adjust their



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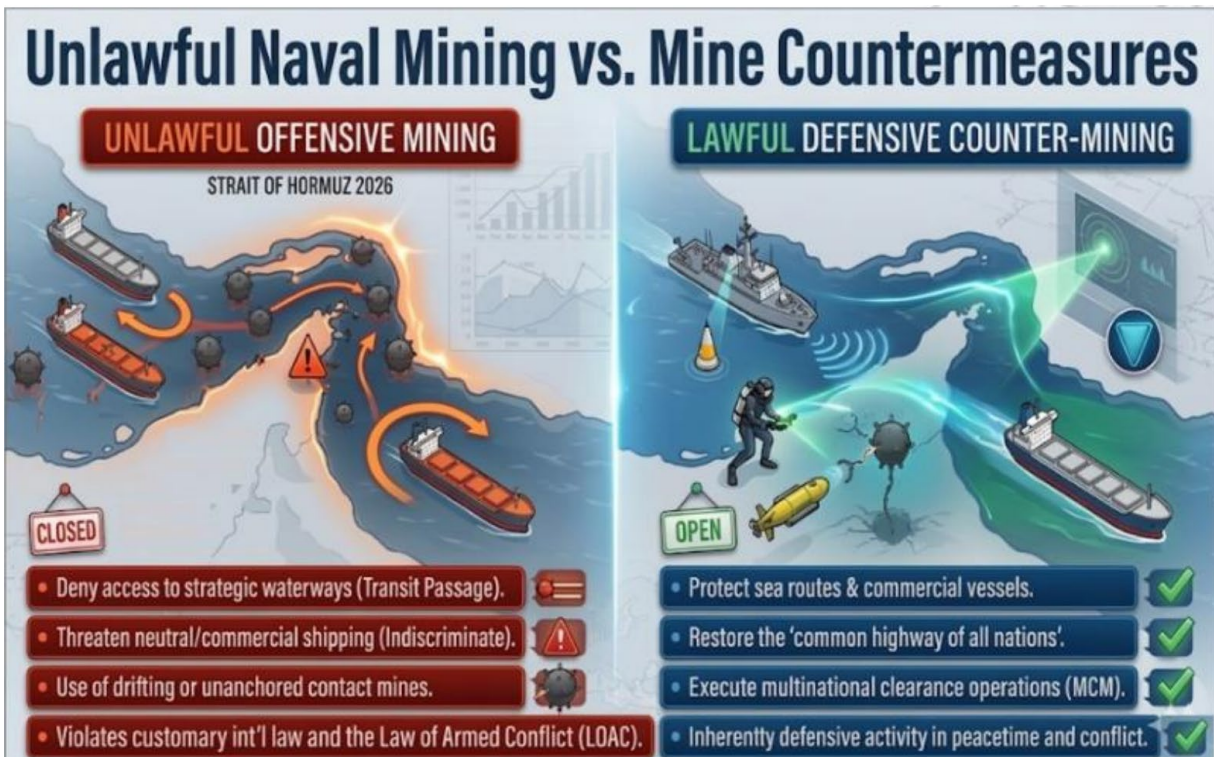
course to avoid a collision, according to the Western Command (WESCOM) of the Armed Forces of the Philippines (AFP).

- This action is the latest example of China using dangerous and escalatory measures to enforce its expansive and unlawful South China Sea maritime claims.
- ***The United States stands with its ally the Philippines and condemns China's dangerous actions against lawful Philippine maritime operations in the South China Sea—and calls upon China to abide by international law and desist from dangerous and destabilizing conduct.***
- 20 March 2026: China reportedly fired flares as a Philippine Coast Guard (PCG) aircraft flew in international airspace near the South China Sea feature Mischief Reef.
 - **Bottom-line:** during a routine PCG maritime domain awareness flight in international airspace in the vicinity of Mischief Reef, China fired flares—***yet another display of China's reckless and destabilizing behavior that interferes with freedom of navigation and overflight in the South China Sea.***
 - References:
 - [Philippine Coast Guard Spokesperson Rear Admiral Jay Tarriela \(Mar. 19, 2026\)](#)
 - Key Points:
 - Mischief Reef is a low-tide elevation in its natural state and located beyond the lawful limits of any State's territorial sea—as such, it cannot be subject to the sovereignty of any coastal State and ***does not generate any maritime zone of its own (i.e. no territorial sea or national airspace).***
 - China has engaged in significant land reclamation at Mischief Reef over the years, reclaiming an estimated 1,504 acres to form its largest outpost in the South China Sea—a size only recently rivaled by [China's latest destabilizing land reclamation effort at Antelope Reef in the Paracel Islands](#).
 - A feature's status must be assessed based on its natural state—land reclamation or other human activities cannot transform a low-tide elevation into an island.
 - China's claims to sovereignty over maritime features that do not meet the international law definition of an "island" and fall entirely beyond a lawful territorial sea are inconsistent with international law and [not recognized by the United States](#) and other States—this includes any claim to sovereignty over low-tide elevations such as Mischief Reef, which falls entirely beyond a lawful territorial sea entitlement and is not subject to appropriation under international law.
 - ***Beijing's unlawful and expansive maritime claims and aggressive actions directly infringe on the sovereign rights and jurisdictions of Vietnam, the Philippines, Malaysia, Brunei, and Indonesia, and undermine peace, stability, and prosperity in the Indo-Pacific.***



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- 24 March 2026: new U.S. SEVENTH Fleet Legal Vigilance SITREP addresses key legal considerations for naval mine warfare and mine countermeasures.
 - **Bottom-line:** U.S. SEVENTH Fleet’s Legal Vigilance SITREP 26.2 outlines the rules governing naval mining in both peacetime and armed conflict; highlights a recent example of unlawful mining practices; and underscores the legal and operational necessity of conducting lawful and timely mine countermeasures (MCM) to preserve navigational freedoms and mitigate operational risk.
 - References:
 - [U.S. SEVENTH Fleet Legal Vigilance SITREP 26.2, Naval Mine Warfare and Mine Countermeasures \(Mar. 24, 2026\)](#)
 - Key Points:
 - Naval mines are lawful weapons, but their use is regulated by international law to minimize risks to neutral shipping and limit indiscriminate effects.
 - The distinction between lawful and unlawful naval mining is illustrated by recent events in the Strait of Hormuz—where media outlets report that Iran initiated mining operations in the Strait of Hormuz, an international strait through which approximately 20 percent of the world’s daily oil supply transits.
 - ***Iran’s reported employment of naval mines in an international strait to block transit passage and threaten neutral vessels is in direct contravention of the law of the sea and the law of armed conflict.***
 - Such actions violate longstanding mine warfare rules reflected in Hague Convention of 1907 - Relative to the Laying of Automatic Submarine Mines (Hague VIII), which require mitigation of risks to neutral shipping, including notification and avoidance of indiscriminate effects.
 - ***In contrast, U.S. Navy MCM are defensive activities designed to protect sea routes, which Hague VIII recognizes as the “common highway of all nations.”***
 - MCM and protection of commercial vessels in response to Iran’s threats in the Strait of Hormuz represent lawful, defensive measures undertaken to restore transit passage rights and safeguard navigational freedoms guaranteed to all nations.



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- 27 March 2026: expert commentary highlights lawfulness of attack on IRIS *Dena*.
 - **Bottom-line**: two experts convincingly countered the false commentary surrounding the sinking of an Iranian warship, IRIS *Dena*, highlighting that under the law of naval warfare, enemy warships are military objectives and may be attacked wherever found outside neutral territorial seas, subject to the principles of the law of armed conflict.

- References:

- [Jennifer Parker, *A Torpedo in the Trade Lanes: Naval Warfare Returns to the Indo-Pacific \(War on the Rocks, Mar. 26, 2026\)*](#)
- [Sean Andrews, *As the US Navy just demonstrated, war at sea is global \(Australian Strategic Policy Institute, Mar. 27, 2026\)*](#)

- Key Points:

- Writing in *War on the Rocks*, expert Jennifer Parker noted:

“The law of naval warfare forms part of the broader law of armed conflict and applies specifically to the conduct of hostilities at sea. Under this framework, **warships of a belligerent state are lawful military objectives by virtue of their status**. Once an international armed conflict exists between states, their military vessels may be attacked wherever they are encountered on the high seas or in belligerent waters, subject to the rules governing the conduct of hostilities. In practical terms, **this means that a vessel such as the IRIS *Dena* could be lawfully targeted because it formed part of the armed forces of a belligerent state and contributed to its military capability.**”
- Parker continued:

“The IRIS *Dena* was a lawful target under the law of naval warfare. It is also long recognized in international law scholarship that modern submarines cannot safely surface to rescue survivors. Their obligation is instead to notify appropriate vessels or authorities so that rescue can be undertaken as soon as practicable. Yet, misunderstandings of these aspects dominated early reporting.”
- In a separate article, Sean Andrews wrote for ASPI’s *The Strategist*:

“The sinking by submarine attack of the Iranian frigate *Dena* in the Indian Ocean on 4 March is a blunt reminder that maritime war does not respect the tidy geographic boundaries favored in policy frameworks...Legally, the strike also sits squarely within contemporary law-of-naval-warfare doctrine. Enemy warships are lawful military objectives by their nature, location and use. Their targetability does not depend on proximity to a declared theater of operations, nor on whether they are engaged in immediate combat. ***Dena’s presence in international waters inside Sri Lanka’s exclusive economic zone didn’t diminish its status as a lawful target.***”



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- ✗ Iran claims IRIS *Dena* was unarmed - FALSE
- ✓ Law of Armed Conflict authorized the use of force to target and destroy valid military targets - TRUE
- ✓ U.S. forces planned for and Sri Lanka provided life-saving support to survivors in accordance with the Law of Armed Conflict - TRUE



- 25 March 2026: U.S. federal grand jury charges Chinese pharmaceutical companies and nationals with drug trafficking and money laundering.
 - **Bottom-line**: a federal grand jury returned charges against six Chinese nationals and two Chinese pharmaceutical companies in narcotics and money laundering conspiracies involving chemical

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agents used to manufacture and cut fentanyl—marking new groundbreaking cooperation between FBI and its counterparts in China.

- References:
 - [*Grand Jury charges additional Chinese nationals & pharmaceutical companies with drug trafficking & money laundering conspiracies, attempting to provide material support to a foreign terrorist organization* \(U.S. Attorney's Office, Southern District of Ohio, Mar. 25, 2026\)](#)
 - [*Louis Casiano, FBI's 'Operation Box Cutter' indicts Chinese pharma firms, terror-linked cartel assets in fentanyl takedown* \(Fox News, Mar. 24, 2026\)](#)
- Key Points:
 - The U.S. Department of Justice announced the indictment of six Chinese citizens and two China-based pharmaceutical companies for allegedly selling and delivering chemical precursors used to make fentanyl intended to be smuggled into the United States, as well as forging an alliance with a Mexican drug cartel.
 - The indictments stemmed from Operation Box Cutter, the FBI-led multi-agency crackdown targeting the global supply chain of fentanyl precursors.
 - The FBI received assistance from China's Ministry of Public Security (MPS), which provided intelligence, officials said.
 - In announcing the indictments, FBI Director Kash Patel said “**it represents new groundbreaking cooperation between our counterparts in China after last year's historic visit with MPS counterparts working to cut off precursors and crush the plague of fentanyl.**”

- 26 March 2026: Philippines and France sign Status of Visiting Forces Agreement (SOVFA).
 - **Bottom-line:** France has become the first European Union nation to sign a visiting forces deployment pact with the Philippines—facilitating a wider range of defense cooperative activities between the Philippine and French armed forces in the territory of either country.

- References:
 - [*Michael Punongbayan, Philippines, France sign Status of Visiting Forces Agreement* \(The Philippine Star, Mar. 28, 2026\)](#)
 - [*Riyaz ul Khaliq, France becomes 1st EU nation to sign 'visiting forces' pact with Philippines* \(Anadolu Ajansi, Mar. 27, 2026\)](#)

- Key Points:
 - The SOVFA will serve as the primary document to enhance interoperability between the French and Philippine armed forces in emergency and disaster response, maritime security and domain awareness, and other mutually beneficial areas to more effectively contribute to regional and global security.
 - In announcing the SOVFA, Defense Secretary Gilbert Teodoro Jr. said: “This is a function of stewardship in several things, in enhancing both our individual and collective defense capabilities and secondly, also equally important, is to protecting the international order under the regime of international law to include the fundamental peremptory treaty in the world in the 1982 UN Convention on the Law of the Sea.”
 - **France is the sixth nation to conclude a SOVFA with the Philippines—following the United States (1998), Australia (2007), Japan (2024), New Zealand (2025), and Canada (2025).**

