



UNCLASSIFIED

U.S. Seventh Fleet Legal Vigilance Report

Office of the Fleet Judge Advocate

June 2026

READY, LETHAL, CONFIDENT

Quote of the Month:

"The United States seeks to preserve the conditions that have long underwritten peace and prosperity in this region. We are the power working to sustain equilibrium, plain and simple. We defend the status quo that has enabled extraordinary growth and opportunity across the region. Our interests in the Pacific are significant, but they are also scoped and reasonable, defined by a favorable balance of power in which sovereignty is respected, commerce flows freely, and nations retain the freedom to make their own choices."

- [Remarks](#) by Secretary of War Pete Hegseth at the 2026 Shangri-La Dialogue, 30 May 2026

(1) Seventh Fleet Boardings Reinforce UNCLOS Right of Visit Against Stateless Vessels (Apr–Jun)

- **Bottom Line:** From April to June, U.S. Seventh Fleet forces conducted multiple boardings of sanctioned stateless tankers in the Indian Ocean pursuant to the right of visit under Article 110 of the United Nations Convention on the Law of the Sea (UNCLOS). The operations highlight the continued importance of longstanding legal frameworks for maritime interdiction / interception operations (MIO) as states increasingly exploit dark fleet networks to evade sanctions and obscure attribution.
- **Key Points:**
 - **MIO Across the Competition–Conflict Continuum:** [UNCLOS Article 110](#) provides warships a right of visit in several enumerated circumstances, including when there are reasonable grounds to suspect a vessel is without nationality. Stateless vessels are not entitled to normal flag-state protections. As such, once statelessness is confirmed, a boarding state may exercise jurisdiction in accordance with domestic and international law. During armed conflict, warships may additionally exercise the belligerent right of visit and search to interdict vessels supporting an enemy war effort. Together, these authorities provide legal frameworks for MIO across the spectrum of competition, crisis, and conflict.
 - **Dark Fleet Tactics:** The boarded vessels employed common [dark fleet](#) tactics, including false registration, shell ownership structures, Automatic Identification System manipulation, and ship-to-ship transfers. By leveraging stateless vessels, fraudulent registries, and opaque commercial structures, dark fleet sponsors deliberately exploit gaps in maritime governance to evade attribution and accountability.

Maritime Interdiction Operations: Peacetime vs. Armed Conflict

Legal Basis: UNCLOS Article 110

Legal Basis: LOAC/ Law of Naval Warfare



Right of Approach & Visit

Reasonable Grounds to Suspect:



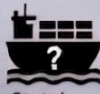
Piracy



Slave Trade



Unauthorized Broadcasting



Stateless Vessel

- ✓ Hail and query
- ✓ Board for inspection
- ✓ Verify nationality/status
- ✓ Inspect documents
- ✓ Assert jurisdiction consistent with domestic and international law

Limited Exception to High Seas Freedoms

Threshold: Armed Conflict Exists

Peace → Armed Conflict



Belligerent Right of Visit & Search



Contraband enforcement



Blockade enforcement



Identify enemy support



Determine enemy or neutral status

- ✓ Stop & board merchant vessels
- ✓ Verify vessel character
- ✓ Inspect cargo & documents
- ✓ Divert or capture vessels

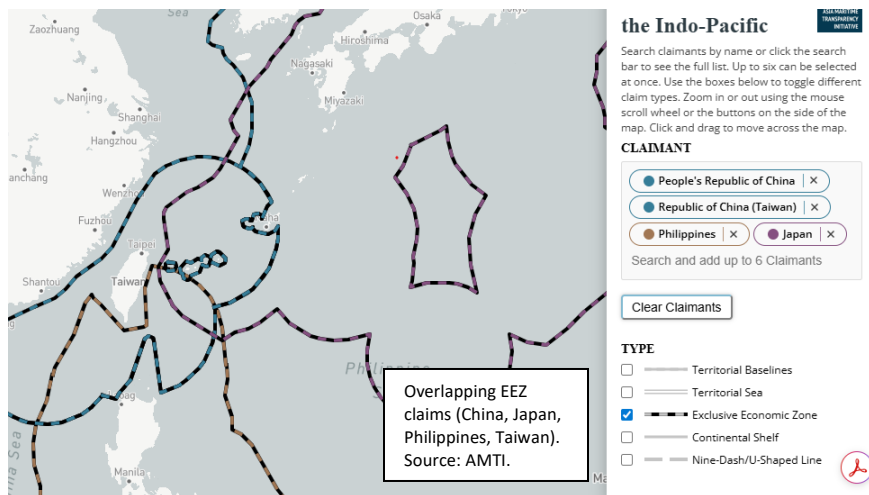
Must Comply with LOAC Principles / Respect Neutral Rights

Complementary Legal Authorities Across the Spectrum of Competition and Conflict

- **Countering Civil-Exploitation Lawfare:** Dark fleets exemplify a broader trend in which states manipulate international law governing civilian maritime activity to mask state-backed malign behavior – a tactic that has been described as [civil-exploitation lawfare](#). Under UNCLOS, the [principle](#) of exclusive flag-state jurisdiction limits the peacetime jurisdiction of other states beyond their territorial seas. Adversaries exploit this framework as a shield, using commercial vessels to blur the distinction between civilian and state-directed activity, complicating threat assessments and response decisions for operational commanders. MIO conducted pursuant to UNCLOS Article 110 provides a lawful mechanism for piercing this legal ambiguity and restoring accountability.
- **Operational Implication:** By exploiting the cover of commercial activity, dark fleets create opportunities for adversaries to shape the operating environment without firing a shot. Beyond that, they gradually normalize behavior that weakens the legitimacy of maritime governance and shifts the balance of advantage to those actors who operate outside accepted norms. For law-abiding naval forces, these trends underscore the enduring importance of MIO authorities, domain awareness, and legal expertise capable of translating complex jurisdictional questions into actionable operational opportunities.
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 - [U.S. Department of War, X Post](#), 23 April 2026 (M/T Majestic X)
 - [U.S. Seized Iran-Linked Oil Tanker in the Indian Ocean](#), The Wall Street Journal, 19 May 2026
 - [U.S. Indo-Pacific Command, X Post](#), 5 June 2026 (M/T DAVINA)
 - [The lawless floating gas station where Iranian oil changes hands](#), CNN, 28 April 2026
 - [China Steps Up U.S. Sanctions Fight, Defying Blacklisting Over Iranian Oil](#), The Wall Street Journal, 5 May 2026
 - [The shadowy network of Chinese oil refineries funding Iran](#), CNN, 12 May 2026
 - [United Nations Convention on the Law of the Sea \(UNCLOS\), Article 110](#), Right to Visit

(2) Japan and the Philippines Announce EEZ Delimitation Negotiations Under UNCLOS, Drawing Objections from China (May–Jun)

- **Bottom Line:** Japan and the Philippines formally agreed to commence negotiations to delimit their Exclusive Economic Zones (EEZs) and continental shelves in accordance with UNCLOS. China condemned the negotiations and dispatched the China Coast Guard (CCG) to patrol east of Taiwan following the announcement.
- **Key Points:**
 - **The Announcement:** In a joint statement issued following the elevation of bilateral ties to a Comprehensive Strategic Partnership, Japan and the Philippines announced the commencement of formal negotiations to delimit their maritime boundary. The leaders emphasized that the process would be conducted “in accordance with international law, in particular the relevant provisions of UNCLOS and guided by relevant international jurisprudence” to enhance legal certainty and promote regional stability.
 - **UNCLOS Framework:** The negotiations reflect the process contemplated by [UNCLOS Articles 74 and 83](#), which provide that overlapping EEZ and continental shelf claims should be resolved by agreement in order to achieve an equitable solution. Negotiated delimitation establishes maritime boundaries through mutual consent and recognized principles of international law.
 - **Overlapping Maritime Boundary Claims:** The negotiations concern waters east of Taiwan where potential EEZ and continental shelf claims generated by Japan's southwestern islands, the Philippines' northernmost islands, and Taiwan converge. Because Beijing claims sovereignty over Taiwan, it treats maritime zones generated by Taiwan as China's maritime entitlements. From China's perspective,



delimitation negotiations that proceed without China's participation risk prejudicing maritime interests it claims derive from Taiwan and implicitly undermine its sovereignty claim.

- **China's Response:** China condemned the announcement as an infringement on its sovereignty and maritime rights and interests. Shortly thereafter, the CCG launched a "special maritime traffic law-enforcement operation" in waters east of Taiwan, characterizing the patrol as a response to the delimitation talks. The operation represented a notable expansion of CCG activity beyond the First Island Chain, described by one Chinese commentator as "a sovereignty declaration with both legal significance and political signaling."
- **Taiwan's Response:** Taiwan authorities welcomed the negotiations, commending Japan and the Philippines for seeking to resolve maritime boundaries in accordance with international law, while also emphasizing that any future delimitation agreement should not prejudice Taiwan's maritime claims and interests. On 7 June, Taiwan's Coast Guard Administration announced that it deployed vessels "to respond appropriately" to the CCG operation, which it framed as a violation of international law and accompanied by harassment of commercial shipping.
- **Comprehensive Strategic Partnership:** The delimitation initiative coincides with the elevation of Japan-Philippines relations to a Comprehensive Strategic Partnership, including implementation of a Reciprocal Access Agreement, expanded maritime security cooperation, and increased defense coordination. The negotiations represent a legal complement to broader efforts by both states to strengthen maritime governance and security cooperation.
- **Operational Implication:** The negotiations demonstrate how UNCLOS-based maritime delimitation can enhance legal certainty in strategically important waters. China's reaction indicates a clear intent to disrupt or influence delimitation efforts by projecting domestic law enforcement east of Taiwan – a notable eastward push to enforce its maritime claims.
- **References:**
 - [SeaLight Foundation, X Post](#), 9 June 2026
 - [Taiwan says China coast guard 'harassed' commercial shipping off its coast](#), Nikkei Asia, 9 June 2026
 - [Taiwan coast guard deployed vessels in response to China operation](#), Straits Times, 7 June 2026
 - [Taiwan Responds to Japan-Philippines Maritime Boundary Negotiations](#), Central News Agency (Taiwan), 4 June 2026
 - [MOFA response to Japan-Philippines maritime boundary delimitation talks](#), Taiwan Ministry of Foreign Affairs, 3 June 2026
 - [CCG Conducts Law-Enforcement Patrol East of Taiwan](#), China Coast Guard, 1 June 2026
 - [MOFA Response to China's Claims Concerning Japan-Philippines Negotiations on Maritime Boundary](#), Taiwan Ministry of Foreign Affairs, 31 May 2026
 - [China Slams Maritime Delimitation Talks Between Japan and Philippines](#), Xinhua, 29 May 2026
 - [Japan-Philippines Joint Statement on the Comprehensive Strategic Partnership: "Weaving the Future Together: Peace, Prosperity, Possibilities"](#), Ministry of Foreign Affairs of Japan, 28 May 2026
 - [Beijing Protests "Bloc Confrontation" as Allies Settle Maritime Borders](#), Global Times, 19 May 2026
 - [Manila and Tokyo Open Historic Talks on Maritime Boundary](#), The Philippine Star, 14 May 2026
 - [PH, Japan Elevate Ties to Comprehensive Strategic Partnership](#), Philippine News Agency, 28 May 2026
 - [United Nations Convention on the Law of the Sea \(UNCLOS\), Articles 74 and 83](#), Delimitation of the Exclusive Economic Zone and Continental Shelf Between States with Opposite or Adjacent Coasts

(3) China Intensifies Coercive Measures at Scarborough Reef as Allies and Partners Project Resolve During BALIKATAN 2026 (Apr–Jun)

- **Bottom Line:** China's campaign to consolidate control over Scarborough Reef has intensified through a combination of physical access restrictions, sustained CCG and PLA Navy presence, and the reported emplacement of a new structure. These actions occurred against the backdrop of BALIKATAN 2026 and other allied maritime activities that demonstrate collective commitment to a free and open Indo-Pacific.
- **Key Points:**
 - **Reports of New Structure:** On 9 June, the Philippines' National Task Force for the West Philippine Sea [announced](#) that it had verified reports of a suspected 6-by-6-meter structure inside the lagoon. The announcement also noted the presence of individuals and "what appears to be an antenna" on the platform. The apparent emplacement of this structure represents the latest step in a broader campaign to solidify sovereignty and administration over the feature, despite the 2016 South China Sea Arbitral

Tribunal's legally binding determination that Scarborough Reef is a traditional fishing ground for fishermen of multiple nationalities, including Filipino fishermen.

- **China's Sovereignty and Scientific Research Narrative:** Responding to reports regarding the structure, China's Ministry of Foreign Affairs stated that China possesses “indisputable sovereignty” over the feature and its adjacent waters and that activities conducted there, including scientific research, fall within the legitimate rights of a sovereign state. Chinese state media subsequently [confirmed](#) the existence of the structure, labeling it a scientific research platform and explicitly linking it to China's “[National Nature Reserve](#),” which one Chinese official said “would not exist in name only.”
- **Physical Barricade and Access Denial:** Images reportedly collected on 10–11 April showed the CCG and maritime militia deploying a 352-meter floating barrier across the entrance to the reef's lagoon. Philippine authorities said that multiple militia vessels guarded the barrier while CCG vessels operated nearby. The obstruction effectively restricted access to waters historically utilized by Filipino fishermen.
- **Surge in Chinese Maritime Presence During BALIKATAN:** The Armed Forces of the Philippines (AFP) reported monitoring 39 PLA Navy and CCG vessels operating near Scarborough Reef during May, the highest concentration of Chinese maritime forces observed in the Philippine EEZ during the reporting period. The surge coincided with BALIKATAN 2026 – the largest iteration of the exercise to date – which brought together approximately 17,000 personnel from the Philippines, the United States, Australia, Canada, France, Japan, and New Zealand, along with additional observer nations, to demonstrate combat credibility, interoperability, and collective resolve.
- **Pattern of Incremental Consolidation:** The reported structure follows a series of measures designed to strengthen China's effective control, including repeated deployment of floating barriers in [2023](#), [2024](#), [2025](#), and now [2026](#), as well as the September 2025 declaration of a “National Nature Reserve” covering portions of the feature. Collectively, these actions reflect a broader lawfare campaign administrative, regulatory, environmental, and maritime law-enforcement measures to reinforce Chinese claims without resorting to overt military force.

CHINA'S LAWFARE CAMPAIGN | SCARBOROUGH REEF

STRATEGIES EMPLOYED BY CHINA TO ESTABLISH DE FACTO CONTROL AND ERODE PHILIPPINE RIGHTS SINCE 2012.

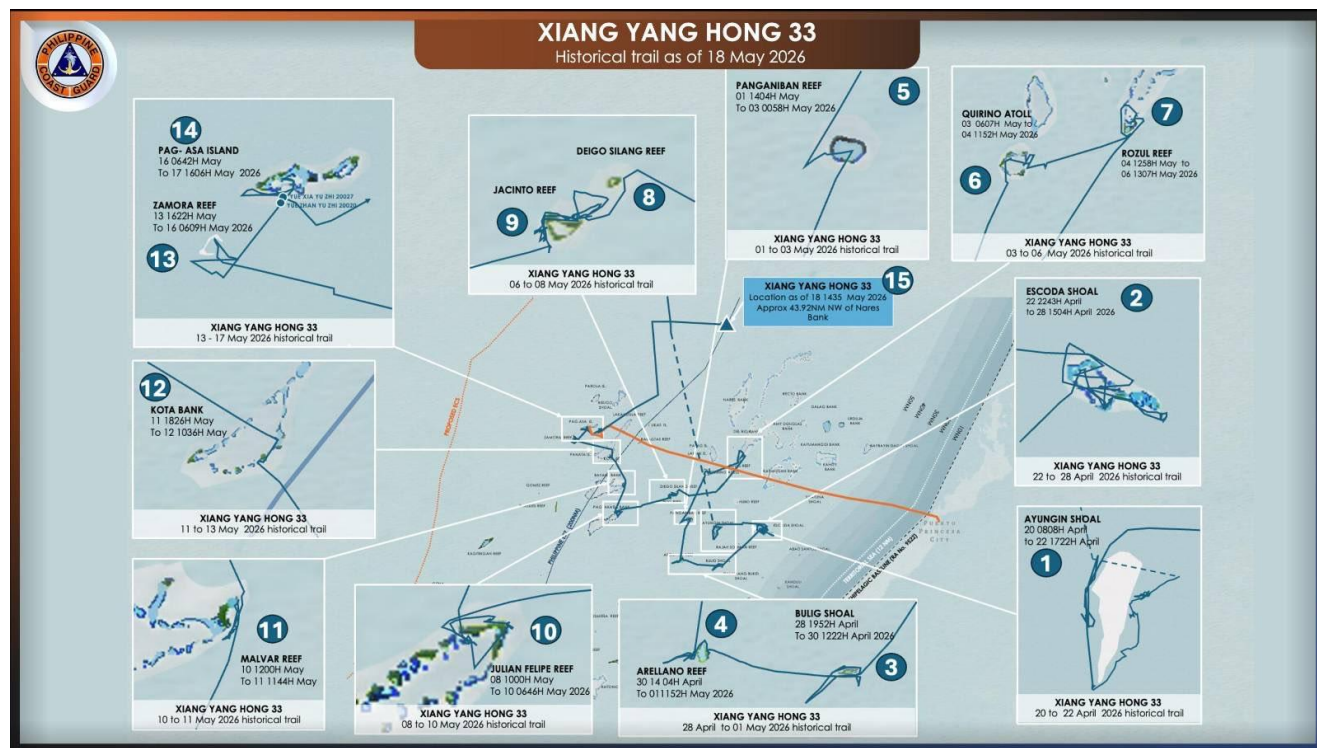


- **Legal Implications:** Scarborough Reef is a high-tide feature claimed by China, the Philippines, and Taiwan. While sovereignty over the feature was outside the jurisdiction of the [2016 South China Sea Arbitral Tribunal](#), the Tribunal found that Scarborough Reef has historically served as a traditional fishing ground for fishermen of multiple nationalities and concluded that China unlawfully interfered with Philippine fishing activities there. Any effort to permanently exclude Philippine fishermen from access to the reef therefore remains inconsistent with the Tribunal's findings.

- **Operational Implication:** Scarborough Reef remains a leading example of China's use of lawfare tactics to establish de facto control and erode Philippine sovereign rights without military escalation. Beyond the feature itself, Scarborough serves as a bellwether for how effectively China can employ such tools to convert its maritime and territorial claims into accepted realities, with implications for freedom of navigation, access, and regional deterrence throughout the South China Sea.
- **References:**
 - [Satellite images show suspected structure at disputed South China Sea atoll](#), but later gone, Reuters, 4 June 2026
 - [Philippines Verifying Reports of Structure in Scarborough Reef](#), Naval News, 1 June 2026
 - [Balikatan 2026 was Rehearsal for Defense of the Philippines, Paparo Says](#), USNI News, 19 May 2026
 - [Philippines, US Conclude Balikatan 2026](#), USINDOPACOM, 8 May 2026
 - [RIPS Newsletter Vol. 44: What is Happening in East Asian Maritime Security?](#), Research Institute for Peace and Security (RIPS), 30 April 2026
 - [China Restricts Access and Expands Reach in the South China Sea](#), FDD, 16 April 2026
 - [China Deploys Barrier And Patrol Vessels to Block Access to Scarborough Reef As Tensions Rise With Philippines](#), Marine Insight News Network, 16 April 2026
 - [China Moves to Block Entrance to Disputed South China Sea Reef, Images Show](#), Reuters, 15 April 2026
 - [USINDOPACOM J06 TACAID: China's Destabilizing Declaration of a 'National Nature Reserve' at Scarborough Reef](#), November 2025

(4) China Suspected of Unauthorized Marine Scientific Research in the Philippine EEZ (Apr–May)

- **Bottom Line:** The Philippines publicly [identified](#) four Chinese research vessels operating in the Philippine Exclusive Economic Zone (EEZ) without Manila's consent. China has historically used the pretext of scientific research to advance its excessive maritime claims and conduct marine data collection with potential military applications.
- **Key Points:**
 - **Research Vessels in the Philippine EEZ:** The four identified vessels (*Xiang Yang Hong 33*, *Shi Yan 1*, *Jia Geng*, and *Zhu Hai Yun*) are affiliated with China's Ministry of Natural Resources and a broader civil-military fusion network [linked](#) to the People's Liberation Army (PLA). Notably, on [7 May](#), the Philippine Coast Guard (PCG) reported that *Xiang Yang Hong 33* had systematically surveyed near multiple features in the Philippine EEZ alongside CCG and maritime militia.



- **UNCLOS MSR Framework:** Marine Scientific Research (MSR), including oceanographic, geological, environmental, seabed, and acoustic research intended to expand scientific knowledge, is distinct from military surveys and other forms of marine data collection. Under [UNCLOS Article 246](#), coastal states have the exclusive right to regulate and authorize MSR in their EEZ and continental shelf. This includes rights to participate in and access resulting data and research findings. The Philippines [publicly stated](#) it did not authorize the reported Chinese activities.
- **Dual-Use Concerns:** China publicly [frames](#) its activities as scientific or ecological research while engaging in data collection that may have military or resource exploitation applications. A [2024 CSIS report](#) assessed that Chinese research vessels increasingly possess capabilities with significant dual-use utility, including seabed mapping, acoustic data collection, submarine route analysis, unmanned systems deployment, and undersea intelligence, surveillance, and reconnaissance.
- **Pattern of Behavior and Selective Compliance:** China opposes foreign military survey and research activities in its own EEZ while conducting expansive survey and research operations in foreign EEZs without coastal state consent. Similar unauthorized Chinese activity has been documented across the [South China Sea](#), [East China Sea](#), [Natuna Sea](#), [Central Pacific](#), and [Indian Ocean](#).
- **Operational Implication:** China's extensive deployment of research vessels – often alongside CCG and maritime militia and without coastal state consent – reflects their integration into a broader maritime gray zone strategy. Even absent data collection with military application, their persistent presence helps establish de facto jurisdiction across China's sweeping maritime claims while incrementally undermining international law reflected in UNCLOS.
- **References:**
 - [Rear Admiral Jay Tarriela, PCG Spokesperson, X Post](#), 3 May 2026
 - [Rear Admiral Jay Tarriela, PCG Spokesperson, X Post](#), 7 May 2026
 - [Rear Admiral Jay Tarriela, PCG Spokesperson, X Post](#), 19 May 2026 (image above borrowed from this post and uses Philippine naming conventions for maritime features)
 - [PCG Drives Away Four Chinese Ships in West Philippine Sea](#), The Philippine Star, 4 May 2026
 - [Global Times, X Post](#), 6 May 2026
 - [USINDOPACOM J06 TACAID: Marine Data Collection](#), 24 April 2024
 - [Surveying the Seas: China's Dual-Use Research Operations in the Indian Ocean](#), CSIS, 10 January 2024

(5) ASEAN Adopts Declaration Reinforcing UNCLOS and Regional Maritime Coordination (8 May)

- **Bottom Line:** ASEAN leaders adopted the ASEAN Leaders' Declaration on Maritime Cooperation during the 48th ASEAN Summit in Cebu, reaffirming UNCLOS as the governing legal framework for maritime activities and calling for expanded regional coordination on maritime security, critical undersea infrastructure, and maritime domain awareness.
- **Key Points:**
 - **UNCLOS Reaffirmation:** The declaration explicitly reaffirmed the “universal and unified character of the 1982 United Nations Convention on the Law of the Sea (UNCLOS)” and emphasized that UNCLOS remains “the legal framework within which all activities in the oceans and seas must be carried out.”
 - **ASEAN Maritime Centre:** The declaration endorsed the planned establishment of an ASEAN Maritime Centre in the Philippines, designed to improve regional maritime coordination, reduce institutional duplication, and strengthen maritime governance. Philippine officials described the center as a mechanism to improve maritime monitoring and cooperation across Southeast Asia.
 - **Critical Undersea Infrastructure:** The declaration specifically highlighted the need to strengthen cooperation related to critical undersea infrastructure, including submarine cables. This is particularly significant given recent concerns regarding gray zone threats to submarine cables in the Taiwan Strait.
 - **Institutionalizing Maritime Coordination:** The declaration calls for deeper coordination through existing ASEAN mechanisms including the ASEAN Maritime Forum (AMF), Expanded ASEAN Maritime Forum



(EAMF), ASEAN Regional Forum (ARF), East Asia Summit (EAS), and ASEAN Defense Ministers' Meeting Plus (ADMM-Plus). It also seeks greater coast guard coordination and improved cross-sector maritime governance.

- **South China Sea Signaling:** While ASEAN avoided directly naming China, the declaration emerged amid rising confrontations in the South China Sea involving CCG, maritime militia, and research vessels operating in regional EEZs.
- **Operational Implication:** While the declaration creates no new enforcement mechanism, it strengthens regional legal alignment around UNCLOS and may complicate China's efforts to isolate South China Sea claimant states individually. If operationalized, the ASEAN Maritime Centre could improve regional maritime domain awareness, attribution of illegal, coercive, aggressive, and deceptive (ICAD) activity, and responses to threats targeting shipping routes and undersea infrastructure.
- **References:**
 - [ASEAN Leaders' Declaration on Maritime Cooperation](#), 8 May 2026
 - [Philippine Presidential Communications Office](#), 8 May 2026
 - [ASEAN Adopts Maritime Cooperation Deal – President Marcos](#), The Philippine Star, 9 May 2026
 - [Chair's Statement of the 48th ASEAN Summit](#), 8 May 2026

(6) Newly Translated PLA “100 Cases of Legal Warfare” Reflects China’s View of Lawfare as a form of Combat or “Struggle” (4 May)

- **Bottom Line:** A newly translated 2004 text – *100 Cases of Legal Warfare* – provides a window into how the PLA conceptualizes “legal warfare” (lawfare) as an instrument for shaping the environment, legitimizing coercion, and constraining adversary decision-making.
- **Key Points:**
 - **Law as a Tool to Legitimize the Use of Force:** The text repeatedly portrays legal warfare as a means of legitimizing the use of force. In its discussion of the 1958 Kinmen shelling, it characterizes the artillery campaign as part of a coordinated “military, political, and legal struggle” intended to reinforce China’s sovereignty claims over Taiwan and deter U.S. intervention. That campaign was accompanied by legal narrative shaping that framed Taiwan as an internal Chinese matter, thereby providing a purported legal basis for “all appropriate measures” to deter foreign intervention and advance unification.
 - **Lawfare as Pretext Creation:** The Kinmen chapter explicitly praises China’s leaders for declaring a 12-nautical-mile territorial sea before military escalation in order to create stronger legal positioning against the United States. This reflects a recurring tactic of creating domestic legal authorities, administrative declarations, or jurisdictional narratives prior to coercive action.
 - **Calibrated Escalation Through Legal Signaling:** The document emphasizes conducting “reasonable, beneficial, and restrained struggle in accordance with the law,” including avoiding actions that unnecessarily escalate conflict while still advancing strategic objectives. This mirrors China’s modern behavior in the South China Sea and Taiwan Strait, where coercive actions are often deliberately calibrated to remain below thresholds that would trigger military response.
 - **Legal Warfare Is Integrated with Information Operations:** Throughout the text, legal arguments are paired with propaganda messaging, diplomatic positioning, and strategic communications. This reinforces that China’s legal warfare is inseparable from broader political warfare efforts (“[three warfares](#)”) designed to shape international perceptions of legitimacy.
 - **Historical Cases Used to Justify Modern Coercion:** The document draws lessons from Cuba, Chechnya, sovereignty disputes, and anti-separatist conflicts to normalize the proposition that states may use force to preserve territorial integrity. This framework has direct relevance to China’s narratives surrounding Taiwan and South China Sea claims.
 - **Operational Implication:** For U.S. and ally and partner forces, this document reinforces that China’s lawfare should be viewed as potential operational preparation and an integrated component of all-



In Their Own Words: Legal Warfare

100 Cases – Classic Case Analysis

Translations from Chinese source documents



domain operations. Legal claims, domestic statutes, and historical narratives may all serve as preconditions for force or coercion.

- **References:**

- [100 Cases of Legal Warfare](#), People's Liberation Army Press, Translated by China Aerospace Studies Institute, 4 May 2026

(7) China Advances Misleading Cairo Narrative as a Legal Basis for Claim to Taiwan (3 May)

- **Bottom Line:** China announced the installation of a monument at Cairo's Mena House Hotel commemorating the 1943 Cairo Declaration, explicitly framing the declaration as a "key historical and legal basis" proving Taiwan is an "inalienable part of China." This characterization ignores that the declaration predates the establishment of the People's Republic of China (PRC) in 1949, referred specifically to the Republic of China (ROC) government, and did not itself legally transfer sovereignty over Taiwan.

- **Key Points:**

- **Weaponizing Historical Symbolism:** According to China's Embassy in Egypt and Global Times, the monument commemorates the site where Allied leaders issued the Cairo Declaration and explicitly links the declaration to China's claim over Taiwan. The move reflects China's broader campaign to manufacture historical and legal legitimacy for its claim to Taiwan.
- **The Cairo Declaration (1943):** The 1943 Cairo Declaration was a wartime political declaration issued by the United States, United Kingdom, and ROC that stated territories "stolen from the Chinese, such as Formosa and the Pescadores" should be restored to the ROC. The declaration was not a treaty and did not independently transfer legal sovereignty over territories.
- **The Potsdam Declaration (1945):** China frequently pairs its Cairo narrative with the 1945 Potsdam Proclamation to argue legal continuity. Like Cairo, Potsdam predated the establishment of the PRC and referenced the ROC government – not the CCP regime that now claims exclusive sovereignty over Taiwan. While Potsdam incorporated Cairo's terms and Japan accepted its surrender conditions, it did not itself execute a formal transfer of sovereignty.
- **San Francisco Peace Treaty (1951):** The more legally significant post-war instrument remains the 1951 San Francisco Peace Treaty, in which Japan formally renounced sovereignty over Taiwan, but deliberately did not designate a recipient sovereign. China downplays this treaty because it undermines its narrative of automatic sovereignty transfer to the PRC.
- **Conflating Recognition of Beijing with Sovereignty Over Taiwan:** China argues that recognition of the PRC as the sole legitimate government of China through [UN General Assembly Resolution 2758](#) settles Taiwan's status. This narrative mischaracterizes Resolution 2758, which only addressed China's UN representation and not Taiwan's status.
- **Operational Implication:** The monument unveiling reflects a broader lawfare strategy of weaponizing legal-historical narratives to reinforce China's territorial claims, shape international perceptions of legitimacy, and condition the legal environment ahead of potential force or coercion against Taiwan.



- **References:**

- [Cairo Declaration monument to reopen after renovation](#), Global Times, 3 May 2026
- [Cairo Declaration](#), 16 November 1943
- [Potsdam Declaration](#), 26 July 1945
- [Treaty of Peace with Japan](#), 8 September 1951
- [UN General Assembly Resolution 2758](#), 25 October 1971
- [Exposing China's Legal Preparation for a Taiwan Invasion](#), War on the Rocks, 11 March 2025
- [MOFA response to European Parliament recommendation supporting Taiwan's meaningful international participation](#), Taiwan MOFA, 21 May 2026

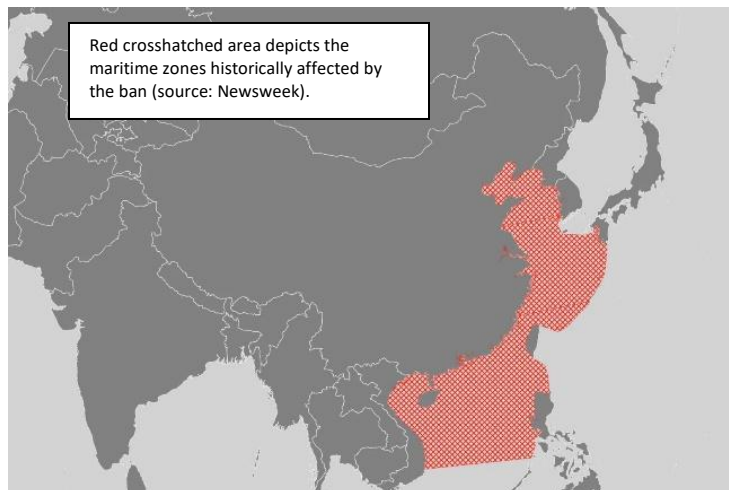
(8) Vietnam Protests China's Annual Summer Fishing Ban (May)

- **Bottom Line:** On 1 May, China instituted its annual unilateral summer fishing moratorium, encompassing waters claimed by Vietnam and areas surrounding the disputed Paracel Islands. Vietnam protested the

measure, urging China to, “respect the rights of Vietnamese fishermen to conduct lawful activities in Vietnam's waters and in maritime areas beyond national jurisdiction in accordance with international law.” The recurring moratorium demonstrates how China employs fisheries management and environmental conservation measures to reinforce its maritime claims and purported regulatory authority.

- **Key Points:**

- **The 2026 Moratorium:** Effective from 1 May to 16 August 2026, China's annual fishing moratorium applies to the South China Sea north of 12°N latitude, including the Gulf of Tonkin and waters claimed by Vietnam as part of its EEZ. The moratorium also covers the Bohai Sea, Yellow Sea, and East China Sea. Although the precise geographic extent of this year's restrictions has not been widely publicized, previous bans have overlapped with neighboring countries' EEZs and served as a mechanism through which China asserts regulatory authority in contested maritime areas.
- **“Bright Sword” Campaign:** To enforce the ban, China launched “Bright Sword 2026”, a joint maritime law enforcement campaign executed concurrently by the CCG, the Ministry of Agriculture and Rural Affairs, and the Ministry of Public Security to “strictly investigate and punish violations.”
- **UNCLOS Legal Analysis:** China's fishing ban lacks legal effect beyond waters lawfully subject to Chinese jurisdiction. [UNCLOS Article 56](#) grants coastal states exclusive sovereign rights to conserve and manage living marine resources within their EEZs. Accordingly, a foreign state cannot unilaterally prohibit fishing or enforce fisheries regulations within the EEZs of other coastal states. Moreover, the 2016 Arbitral [Tribunal](#) determined that China's claims to historic rights within the South China Sea are incompatible with UNCLOS where they exceed the Convention's maritime entitlements. Those claims therefore provide no legal foundation for the annual fishing moratorium.
- **Vietnamese Response:** Vietnam's Ministry of Foreign Affairs urged China to respect Vietnam's sovereignty, sovereign rights, and jurisdiction in accordance with UNCLOS, as well as the lawful activities of Vietnamese fishermen. Separately, the Vietnam Fisheries Association condemned the moratorium as an unreasonable unilateral measure that violates Vietnam's sovereignty, lawful rights and interests, UNCLOS, and the Declaration on the Conduct of Parties in the South China Sea.
- **Operational Implication:** China's annual fishing moratorium illustrates how purported [environmental](#) conservation measures can be employed as a form of ecological lawfare to reinforce maritime claims, normalize administrative control, and justify the presence of CCG and other Chinese maritime forces. For U.S. Seventh Fleet and allies and partners, continued maritime domain awareness, documentation of coercive enforcement activities, and routine operations that challenge excessive maritime claims remain critical to preserving navigational freedoms and the rights of coastal states under UNCLOS.



- **References:**

- [The Summer Fishing Moratorium Begins Tomorrow!](#), China News Service, 30 April 2026
- [The Vietnam Fisheries Association opposes China's unilateral fishing ban](#), Bao Tin Tuc, 6 May 2026
- [United Nations Convention on the Law of the Sea \(UNCLOS\), Article 56](#), Rights, jurisdiction and duties of the coastal State in the exclusive economic zone
- [Permanent Court of Arbitration \(PCA\) Case No. 2013-19](#), SCS Arbitration Award, July 12, 2016
- [Summer Fishing Ban Takes Effect in Four Seas of China](#), Bastille Post Global, 1 May 2026
- [Vietnam Calls on China to Respect Sovereignty Over Hoang Sa](#), Ministry of Foreign Affairs of the Socialist Republic of Vietnam, Press Release, 5 May 2026
- [Vietnam Fisheries Society Protests China's Unilateral Fishing Ban](#), Viet Nam News, 6 May 2026
- [Vietnam Calls on China to Respect Sovereignty Over Hoang Sa](#), Asia News Network, 6 May 2026
- [Map Shows Where China Is Imposing Fishing Ban on Neighbors](#), Newsweek, 6 May 2025
- [China and Neighbor Clash Over Vessels Seized in Disputed Waters](#), Newsweek, 1 November 2024

(9) Suspected Chinese Undersea Monitoring System in Indonesian Archipelagic Waters Implicates Coastal-State Rights Under UNCLOS (6 Apr)

- **Bottom Line:** Indonesian authorities recovered a suspected Chinese undersea monitoring system near the Lombok Strait, an Indonesian Archipelagic Sea Lane (ASL). According to reporting, the device appears designed to be anchored to the seabed and operate as a persistent sensing platform. Although UNCLOS preserves Archipelagic Sea Lanes Passage (ASLP) through the Lombok Strait, it provides no clear legal basis for a foreign state to deploy a persistent seabed-connected sensing platform within those waters.

- **Key Points:**

- **Anchored Sensor Recovery:** Defense analysts identified the system as a Chinese Deep-Sea Real-Time Transmission Mooring System reportedly capable of monitoring oceanographic conditions, acoustic signatures, and vessel activity while transmitting data via surface communications buoys. Unlike a maneuvering unmanned vehicle, the system appears designed to remain fixed to the seabed through an anchoring mechanism.
- **Not the First Recovery of a Chinese Unmanned System:** The incident follows multiple recoveries of suspected Chinese unmanned maritime systems across the region. In Indonesia, authorities [recovered a Chinese sea glider](#) near Selayar Island in 2020, and additional unmanned devices have [reportedly](#) washed ashore in recent years. In September 2025, the Philippine Coast Guard reportedly [recovered a 12-foot Chinese unmanned underwater vehicle](#) (UUV) suspected of unauthorized marine data collection in Philippine waters. The recurring presence of such systems suggests sustained Chinese interest in collecting hydrographic and acoustic data in strategically significant maritime corridors throughout the Indo-Pacific, including in areas where coastal-state rights and sovereignty concerns may be implicated.
- **Legal Status of the Lombok Strait:** The Lombok Strait is one of the principal deep-water transit routes connecting the Pacific and Indian Oceans. It forms part of Indonesia's designated ASL system established under UNCLOS Part IV. Under Article 49, Indonesia retains sovereignty over its archipelagic waters, seabed, subsoil, and airspace. Foreign vessels and aircraft enjoy the right of ASLP, which permits continuous and expeditious transit in the normal mode of operation through designated sea lanes and routes normally used for international navigation.
- **Transit Rights Versus Persistent Presence:** The legal significance of this incident turns on the distinction between transit and emplacement. The continuous and expeditious transit of a vessel, submarine, or even an unmanned system may plausibly fall within the ASLP framework. A sensor deliberately anchored to the seabed for persistent data collection does not fall within ASLP rights because it is a fixed presence. Such activity is inconsistent with a passage regime designed to facilitate navigation rather than the deployment of persistent undersea monitoring systems.
- **Scientific Research Framing Lacks Legal Foundation:** Chinese officials characterized the device as marine research equipment and noted that oceanographic sensors often serve legitimate scientific purposes. However, whether the device supported scientific research, military activities, or both is largely beside the point. The UNCLOS regime governing Marine Scientific Research (MSR) does not provide an independent legal basis for a foreign state to emplace a persistent sensing platform within waters subject to coastal state sovereignty.
- **Operational Implication:** As states increasingly deploy unmanned systems for marine data collection, issues of persistent presence, seabed activity, and autonomous sensing in strategic waterways could become more salient for both coastal states and those operating through these corridors.



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(10) North Korea Amends Constitution to Codify "Hostile Two-State" Policy (Mar–May)

- **Bottom Line:** North Korea formally amended its constitution in March 2026 during the first session of the 15th Supreme People's Assembly to remove its long-standing objective of national reunification and formally define its territorial borders as separate from the Republic of Korea (ROK). This legal change codifies North Korea's "hostile two-state" policy, erects a significant legal barrier to inter-Korean dialogue, and reinforces Kim Jong Un's declaration of the ROK as North Korea's "principal enemy."
- **Key Points:**
 - **Constitutional Revisions:** According to the full text of the amended constitution released by the ROK Ministry of Unification on May 6, all references to "national reunification" and "reunification of the fatherland" have been deleted from the preamble. The national mission is reframed as "socialist construction" within its defined territory.
 - **Formal Border Definition:** The amended constitution adds a new provision explicitly defining North Korea's territory as "bordering the People's Republic of China and the Russian Federation to the north and the [Republic of Korea] ROK to the south, together with the territorial waters and airspace established on the basis of that land." This establishes a formal, legal separation between the two Koreas under North Korea's domestic law.
 - **Codifying Hostile Policy:** The amendment legally enacts the policy shift articulated by Kim Jong Un, who designated South Korea as North Korea's "principal enemy" in January 2024 and stated during the 9th Party Congress that North Korea can "neither trust nor coexist" with the ROK.
 - **Ambiguous Borders and South Korean Assessment:** The constitutional change does not address the historically contested part of the Northern Limit Line (NLL) in the Yellow (West) Sea. While the ROK National Intelligence Service assessed that the lack of explicitly hostile language in the amendment indicates Pyongyang's intent to maintain the status quo for now, the change may provide a constitutional basis for North Korea to reject all future diplomatic outreach from Seoul by removing any legal obligation to pursue reunification.
 - **Operational Implication:** By legally abandoning the goal of reunification, North Korea has nullified a foundation of inter-Korean relations and redefined ROK as a typical foreign adversary. This legal shift could provide pretext for provocations at contested boundaries, such as the NLL around the Five West Sea Islands.
- **References:**
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The views expressed in this Legal Vigilance Report are those of the U.S. Seventh Fleet Legal Office. U.S. Seventh Fleet's Legal Vigilance program is aligned under U.S. Indo-Pacific Command's Counter-Lawfare Center.

