

**From:** [REDACTED]  
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**Subject:** INDOPACOM Legal Vigilance Update #16 (18 Jan 2025)  
**Date:** Saturday, January 18, 2025 5:00:47 AM  
**Attachments:** [image001.png](#)

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Teammates,

Below please find the 16<sup>th</sup> edition of INDOPACOM's Legal Vigilance Update.

- **17 January 2025:** Russia further erodes rule of law and human rights by sentencing the defense lawyers for late opposition politician Aleksey Navalny.
  - **Bottom-line:** the Kremlin arrested and intimidated lawyers who were simply doing their jobs to ensure a political prisoner was afforded his right to legal representation, turning defense lawyers into political prisoners themselves.
    - **References:** [U.S. Department of State Press Statement, Condemning the Sentencing of Navalny's Lawyers \(Jan. 17, 2025\)](#); [Christian Edwards and Anna Chernova, Russia convicts lawyers for late Kremlin critic Alexey Navalny \(CNN, Jan. 17, 2025\)](#)
    - **Key legal points:**
      - Igor Sergunin, Aleksey Lipster, and Vadim Kobzev were tried behind closed doors and sentenced respectively to three-and-a-half, five, and five-and-a-half years.
      - This is yet another example of the persecution of defense lawyers by the Kremlin in its effort to undermine human rights, subvert the rule of law, and suppress dissent.
      - Amnesty International said: "By targeting lawyers for merely doing their job, the Russian authorities are dismantling what remains of the right to legal defense and abusing what is a criminal justice system only in name."
- **17 January 2025:** U.S. takes action against PRC-linked cyber actors for Treasury hack and Salt Typhoon.
  - **Bottom-line:** the U.S. will continue to use all the tools at its disposal to impose costs for, defend against, and deter PRC cyber threats to the safety and security of Americans, U.S. critical infrastructure, and that of our allies and partners.
    - **References:** [U.S. Department of State Press Statement, U.S. Takes Action Against PRC-Linked Cyber Actors for Treasury Hack and Salt Typhoon \(Jan. 17, 2025\)](#)
    - **Key legal points:**

- Pursuant to Executive Order 13694 (as amended), the U.S. Department of Treasury sanctioned two PRC-linked malicious cyber actors responsible for serious intrusions against U.S. victims.
  - Yin Kecheng, a Shanghai-based malicious cyber actor and PRC Ministry of State Security affiliate, was associated with the recent compromise of the Department of Treasury's network.
  - Sichuan Juxinhe is a Sichuan-based cybersecurity company with direct involvement in the Salt Typhoon malicious cyber activities. PRC-linked Salt Typhoon malicious cyber activity is responsible for numerous compromises of U.S. telecommunication and internet service provider companies as part of a broad and significant cyber espionage campaign.
  - PRC-based hackers pose a persistent and significant threat to U.S. national security and these intrusions into U.S. government systems and critical infrastructure are examples of the PRC's willingness to operate in a malicious and reckless manner in cyberspace.
- 16 January 2025: U.S. Trade Representative concludes that the PRC engages in unfair practices to dominate the maritime, logistics, and shipbuilding sectors.
    - **Bottom-line:** the U.S. Trade Representative has issued findings in the Section 301 investigation of the PRC targeting the maritime, logistics, and shipbuilding sectors for dominance, concluding that the PRC's targeted dominance in these sectors is unreasonable and burdens or restricts U.S. commerce, and is therefore "actionable" under Section 301 of the Trade Act of 1974 (as amended).
      - References: [Office of the U.S. Trade Representative, USTR Finds That China's Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance Is Actionable Under Section 301 \(Jan. 16, 2025\)](#); [Office of the U.S. Trade Representative, Report on China's Targeting of the Maritime, Logistics, and Shipbuilding Sectors for Dominance \(Jan. 16, 2025\)](#)
      - Key legal points:
        - Section 301 of the Trade Act of 1974 (as amended) is designed to address unfair foreign practices affecting U.S. commerce, and may be used to respond to unjustifiable, unreasonable, or discriminatory foreign government acts, policies, and practices that burden or restrict U.S.

commerce.

- The USTR report concludes that “[f]or nearly three decades, China has targeted the maritime, logistics, and shipbuilding sectors for dominance and has employed increasingly aggressive and specific targets in pursuing dominance of the maritime, logistics, and shipbuilding sectors.”
  - According to the report, “China has largely achieved its dominance goals, severely disadvantaging U.S. companies, workers, and the U.S. economy generally through lessened competition and commercial opportunities and through the creation of economic security risks from dependencies and vulnerabilities.”
  - As a result of the PRC’s unfair practices, the U.S. builds fewer than 5 ships per year (a significant decline from the more than 70 ships the U.S. built in 1975), while today the PRC is building more than 1,700 ships per year.
- 10 January 2025: multilateral experts group initiates joint actions to further counter Russia’s shadow fleet.
    - **Bottom-line:** Denmark, Estonia, Finland, Poland, Sweden, the United Kingdom, and the United States are united in their commitment to further deter and disrupt high-risk maritime activities of the shadow fleet together, especially in the North Sea and the Black Sea.
      - References: [U.S. Department of State Press Statement, Multilateral Experts Group Initiates Joint Actions to Further Counter the Shadow Fleet and its Maritime Risks \(Jan. 17, 2025\)](#)
      - Key legal points:
        - The U.S. and its likeminded partners announced enhanced cooperation measures to counter high-risk maritime activity related to Russia’s shadow fleet, including modalities for swift information-sharing and sanctions alignment.
        - Russia’s shadow fleet comprises vessels that may engage in illegitimate and high-risk shipping practices for the purpose of circumventing sanctions, especially the Oil Price Cap set by the G7+.
        - Shadow fleet vessels raise serious concerns for both the public and private sectors, as these vessels evade compliance with safety, environmental, and liability

standards, not least due to the potential inadequate insurance.

- The Russian shadow fleet has led to an increased risk of an environmental disaster in the Baltic Sea as well as globally. Obfuscating vessel positions through GPS interference and AIS manipulation has increased the risk of an accident. Recent events have shown that the shadow fleet used by Russia may also pose a risk to critical maritime infrastructure.
- January 2025: new Lowy Institute report surveys the position of every UN member state on Taiwan.
  - **Bottom-line:** the Lowy Institute report concludes that “in addition to longstanding PRC efforts to chip away at the dwindling number of countries that maintain state-to-state ties with the government in Taipei,” Chinese pressure campaigns are convincing “more countries to endorse PRC efforts to take control of Taiwan, potentially via the use of force.”
    - References: [Benjamin Herscovitch, \*Five One-Chinas: The contest to define Taiwan\* \(Lowy Institute, Jan. 2025\)](#); [U.S. Department of State Bilateral Relations Fact Sheet, U.S. Relations With Taiwan \(May 28, 2022\)](#)
    - Key legal points:
      - The United States has a longstanding one China policy, which is guided by the Taiwan Relations Act, the three U.S.-China Joint Communiques, and the Six Assurances.
      - The U.S. opposes any unilateral changes to the status quo from either side and expects cross-Strait differences to be resolved by peaceful means.
      - While the U.S. one China policy “acknowledges that all Chinese on either side of the Taiwan Strait maintain there is but one China,” the one China policy does not endorse the PRC’s claim to sovereignty over Taiwan.
      - Consistent with the Taiwan Relations Act, the U.S. makes available defense articles and services as necessary to enable Taiwan to maintain a sufficient self-defense capability -- and maintains our capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of Taiwan
      - The U.S. supports the meaningful participation of Taiwan in international fora.

Thank you for your continued participation in our Counter-Lawfare community of interest.

V/r Ian

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