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Subject: INDOPACOM Legal Vigilance Update #18 (7 Feb 2025)
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Teammates,

Below please find the 18th edition of INDOPACOM's Legal Vigilance Update.

- **7 February 2025:** U.S. President Donald J. Trump and Japan Prime Minister Ishiba Shigeru hold first official meeting in Washington, D.C.
 - **Bottom-line:** the leaders “affirmed their determination to pursue a **new golden age for U.S.-Japan relations that upholds a free and open Indo-Pacific** and brings peace and prosperity to a violent and disorderly world.”
 - **References:**
 - [The White House, United States-Japan Leaders' Joint Statement \(Feb. 7, 2025\)](#)
 - **Key points:**
 - “The two leaders expressed their shared desire for bilateral security and defense cooperation under the U.S.-Japan Treaty of Mutual Cooperation and Security to grow stronger than ever, and emphasized that **the U.S.-Japan Alliance remains the cornerstone of peace, security and prosperity in the Indo-Pacific and beyond.**”
 - “The United States underscored its unwavering commitment to the defense of Japan, using its full range of capabilities, including nuclear capabilities.”
 - “The two leaders reaffirmed that **Article V of the U.S.-Japan Treaty of Mutual Cooperation and Security applies to the Senkaku Islands**, and reiterated their strong opposition to any action that seeks to undermine Japan’s longstanding and peaceful administration of the Senkaku Islands.”
 - “The two leaders reiterated their strong opposition to any attempts by the [PRC] to change the status quo by force or coercion in the East China Sea.”
 - “The two leaders reaffirmed their **strong opposition to the PRC’s unlawful maritime claims, militarization of reclaimed features, and threatening and provocative activities in the South China Sea.**”
 - “The two leaders emphasized the importance of maintaining peace and stability across the Taiwan Strait as an indispensable element of security and prosperity for the international community.”
 - “They encouraged the **peaceful resolution of cross-Strait issues**, and opposed any attempts to unilaterally change the status quo by force or coercion.”
 - “The two leaders also **expressed support for Taiwan’s meaningful participation in international organizations.**”
- **5 February 2025: U.S. and Philippine Defense Chiefs reaffirm alliance and discuss enhanced cooperation.**
 - **Bottom-line:** U.S. Secretary of Defense Pete Hegseth and Philippine Secretary of National Defense Gilberto Teodoro, Jr. held an introductory call to discuss defense cooperation and security challenges in the Indo-Pacific Region.
 - **References:**
 - [U.S. Department of Defense, Readout of Secretary of Defense Pete Hegseth’s Call With Philippines Secretary of National Defense Gilberto Teodoro, Jr. \(Feb. 5, 2025\)](#)
 - [Philippine Information Agency, PH, U.S. defense chiefs hold introductory call under new U.S. admin \(Feb. 7, 2025\)](#)
 - [Taipei Times, Hegseth, the Philippines discuss South China Sea, \(Feb. 7, 2025\)](#)
 - **Key points:**
 - Secretary Hegseth reaffirmed the **United States’ unwavering commitment to the 1951 Mutual Defense Treaty (MDT) with the Philippines**, underscoring its significance amid rising geopolitical tensions in the region.
 - Both leaders highlighted the critical role of defense cooperation in enhancing deterrence against coercive and destabilizing actions while promoting a secure and prosperous Indo-Pacific.
 - The call coincided with a [multilateral maritime cooperative activity \(MCA\) on 5 February](#), in which armed forces of the U.S., Philippines, Australia, and Japan conducted operations in the Philippines’ exclusive economic zone in order to uphold the right to freedom of navigation and overflight and other internationally lawful uses of the sea.
 - Consistent with the [May 2023 U.S.-Philippines Bilateral Defense Guidelines](#), “[a]n armed attack in the Pacific, to include anywhere in the South China Sea, on either Philippine or U.S. armed forces – which includes both nations’ Coast Guards – aircraft, or public vessels, would invoke mutual defense commitments under Article IV and Article V of the MDT.”
- **7 February 2025: Japanese government approves legislation to implement “active cyber defense”** to preempt possible cyberattacks.
 - **Bottom-line:** according to the Japan Times, “[t]he new measures aim to strengthen cooperation and facilitate information-sharing between public and private actors in the cyber realm, allowing the government to acquire information traveling through Japan and infiltrate the sources of cyberattacks in order to neutralize them.”
 - **References:**
 - [Gabriele Ninivaggi and Himari Semans, Japan’s Cabinet approves legislation on ‘active’ cybersecurity \(The Japan Times, Feb. 7, 2025\)](#)
 - [NHK, Japan govt. approves draft legislation to forestall cyberattacks \(Feb. 7, 2025\)](#)
 - **Key points:**
 - According to The Japan Times:
 - “[i]f approved, the bills would grant the government **greater powers to safeguard critical infrastructure** and require private-sector entities to report the acquisition of critical infrastructure and potential cyberattacks to the authorities.”
 - “In the event of an attack, the police will intervene first, although only after obtaining the green light from an independent third-party committee tasked with checking the government’s use and analysis of sensitive information and reporting to parliament.”
 - “The Self-Defense Forces will take further measures in case of attacks seen as targeting something particularly sensitive or those deemed to be perpetrated by an organization with the backing of a foreign country.”
 - “In order to streamline and promote cyber defense operations, a body currently under the chief cabinet secretary will be placed under the direct supervision of the prime minister” and “[a]n ad hoc post of vice-minister for cyber security will also be established.”
 - A key strategic objective of [2023 U.S. National Cybersecurity Strategy](#) is to strengthen international partner capacity to “enable our allies and partners to secure critical infrastructure networks, build effective incident detection and response capabilities, share cyber threat information, pursue diplomatic collaboration, build law enforcement capacity and effectiveness through operational collaboration, and support our shared interests in cyberspace by adhering to international law and reinforcing norms of responsible state behavior.”
- **7 February 2025:** PRC resumes **balloon flights near Taiwan** amid increased scrutiny on maritime activity in the vicinity of undersea cables.
 - **Bottom-line:** after a seven-month pause in 2024 and amidst increased scrutiny on PRC-affiliated vessels operating near undersea cables, the PRC has reportedly increased destabilizing balloon flights near Taiwan.
 - **References:**
 - [Taiwan Ministry of National Defense, PLA activities in the waters and airspace around Taiwan \(X, Feb. 7, 2025\)](#)
 - [Amber Wang, Taiwan Detects Six Chinese Balloons Near Island \(Barron’s, Feb. 6, 2025\)](#)
 - [Keoni Everington, Ship seen off south Taiwan flagged as suspicious \(Taiwan News, Feb. 7, 2025\)](#)
 - [Taipei Times, Coast guard identifies 52 ‘suspicious’ Chinese ships \(Jan. 28, 2025\)](#)
 - [Wayne Chang & Simone McCarthy, A cut undersea internet cable is making Taiwan worried about ‘gray zone’ tactics from Beijing \(CNN, Jan. 10, 2025\)](#)
 - [Reuters, Taiwan reports Chinese balloon, first time in six months \(Nov. 24, 2024\)](#)
 - [USINDOPACOM TACAID, High-Altitude Balloons \(Feb. 14, 2023\)](#)
 - **Key points:**
 - On 7 February 2025, Taiwan’s Ministry of National Defense (MND) detected **six PRC low-altitude balloons** operating in the vicinity of the island.

This follows a period of 10 days in January 2025 when Taiwan's MND detected 16 PRC balloons in the vicinity of Taiwan, including seven that flew directly over Taiwan.

- The **PRC has reportedly resumed and gradually escalated such destabilizing balloon operations since November 2024**, after carrying out a much higher-volume campaign of coercive balloon activities in the winter of 2023–2024.
- This recent uptick coincides with additional scrutiny on PRC-affiliated vessels active in the vicinity of undersea cables.
 - This week Taiwan reportedly observed the Mongolia-flagged cargo ship *Bao Shun* loitering near undersea cables off Taiwan's southern coast.
 - This follows the 3 January 2025 severing of an undersea communications cable off the coast of Keelung, northern Taiwan.
 - The *Xing Shun-39*, a Hong Kong-owned cargo ship with a PRC crew, is suspected of causing the damage, possibly by dragging its anchor.
 - In light of the *Xing Shun-39* incident, Taiwan's Coast Guard Administration recently compiled a list of 52 suspicious PRC-owned vessels requiring closer monitoring.
- The PRC's destabilizing balloon operations, persistent/coercive maritime pressure activities, and possible links to vessels conducting high-risk activities in the vicinity of critical undersea infrastructure around Taiwan **disrupt the status quo and undermine the peaceful resolution of cross-Strait relations**.

Thank you for your continued participation in our Counter-Lawfare community of interest.
V/r Ian

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