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Subject: INDOPACOM Legal Vigilance Update #24 (20 Mar 2025)
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Teammates,

Below please find the 24th edition of INDOPACOM's Legal Vigilance Update.

- **27 February 2025:** CSIS reports that “China’s maritime militia deployed to the South China Sea in record numbers in 2024.”
 - **Bottom-line:** “a majority of ships spent most of their days anchored at China’s military outposts rather than at unoccupied reefs where they might pretend to fish,” indicating that China may no longer be “pressuring vessel owners to maintain the crumbling façade of the militia as a legitimate fishing fleet.”
 - **References:**
 - [CSIS Asia Maritime Transparency Initiative, *Dropping the Act: China’s Militia in 2024* \(Feb. 27, 2025\)](#)
 - [CSIS Asia Maritime Transparency Initiative, *Behind the Curtain: An Update on Hainan’s Maritime Militia* \(Dec. 12, 2024\)](#)
 - **Key points:**
 - China’s maritime militia (or PAFMM) is a reserve force of the People’s Liberation Army (PLA) made up of supposed fishing boats.
 - In recent years, PAFMM have [established a ubiquitous presence in disputed maritime zones](#) and routinely interfered with lawful uses of the sea and sovereign rights of other nations.
 - CSIS reports that “China’s maritime militia is the largest fleet of ships operating in the disputed waters of the South China Sea...[b]ut unlike the China Coast Guard, most militia cannot be observed on satellite-based automatic identification system platforms.”
 - To track the ships, CSIS used Planet Labs satellite imagery for the calendar year 2024 at 11 features in the South China Sea that militia ships are known to frequent.
 - According to CSIS, “[t]he data reveals that *China’s militia was out in greater number in 2024 than in previous years*,” with “the average number of militia ships across all 11 observed features in 2024 [rising] to 232, a 15 percent increase from 2023’s average of 195.”
 - The biggest shift occurred at Mischief Reef, with the number of vessels surging to 173 on July 24 and peaking at 200 in late October.
 - CSIS concludes: “The high presence at Mischief in 2024 is probably tied in part to events at nearby Second Thomas and Sabina shoals. But it also appears to reflect a waning interest in keeping up the masquerade that these are commercial fishers. *With the militia’s activities and identities now widely known, Beijing may be opting to drop the act and simply deploy its paramilitary forces where they are most useful or easiest to sustain.*”
 - Notably, in December 2024, CSIS expanded its 2021 list of known and suspected Hainan-based militia vessels from [69 to 152](#).
- **18 March 2025:** Commander, U.S. Indo-Pacific Command speaks at Raisina Dialogue in New Delhi, India.
 - **Bottom-line:** in addition to appearing on a panel titled “Deepwater Perils: Securing Trade Through Red Zones,” ADM Paparo discussed security challenges in the Indo-Pacific with Prof. Harsh Pant on the Raisina Ideas Podcast.
 - **References:**
 - [Raisina Dialogue Firstpost Ideas Pod \(Mar. 19, 2025\)](#)
 - **Key points:**
 - Re: the security environment in the Indo-Pacific—ADM Paparo highlighted “the *challenges to the norms within this space, and those challenges to the norms involve excessive claims, claims beyond the United Nations Convention on the Law of the Sea.*”
 - Re: the crises/conflicts in Europe and the Middle East and their impact on the Indo-Pacific—ADM Paparo said “there is a duty in the Indo-Pacific to learn what must be learned from them and to apply those lessons from them.”
 - Re: the role of allies and partners—ADM Paparo noted that “since the end of the Second World War, and in fact throughout the Second World War, the United States has never entered into an operation without allies and partners.”
- **March 2025:** two new articles detail current international legal framework (and its gaps) for protection of undersea infrastructure.
 - **Bottom-line:** Raul (Pete) Pedrozo of the U.S. Naval War College’s Stockton Center published two articles outlining legal gaps and solutions in light of increasing threats to undersea cable infrastructure.
 - **References:**
 - [Raul Pedrozo, *Safeguarding Submarine Cables and Pipelines in Times of Peace and War* \(Stockton Center for International Law, Volume 106, 2025\)](#)
 - [Raul Pedrozo, *Implementing Agreement to Enhance Protection of Critical Undersea Infrastructure* \(Stockton Center for International Law, Volume 106, 2025\)](#)
 - **Key points:**
 - Over the past two years, *submarine cables and pipelines have become increasingly frequent targets of hybrid aggression, with incidents in the Baltic Sea and off of the coast of Taiwan exposing the vulnerability of critical undersea infrastructure to both accidental and deliberate damage.*
 - Retired Navy JAG and international law expert Raul (Pete) Pedrozo outlines how adversaries exploit gaps in maritime law to avoid accountability for damaging this infrastructure in his articles *Safeguarding Submarine Cables and Pipelines in Times of Peace and War* and *Implementing Agreement to Enhance Protection of Critical Undersea Infrastructure*.
 - Recent cases such as the *NewNew Polar Bear*, *Yi Peng 3*, and *Eagle S*, where submarine cables were either negligently or deliberately severed, exposed the limits of coastal state options to respond effectively within the current legal framework.
 - Pedrozo suggests concrete steps to improve the international legal framework to protect undersea cables, including a new implementing agreement (with draft provisions) that would have the practical effect of modifying UNCLOS while avoiding the lengthy amendment process.
- **20 March 2025:** Philippines arrests alleged Chinese spies amid increased PLA aggression in the South China Sea.
 - **Bottom-line:** Philippine authorities have detained several Chinese nationals on suspicion of espionage, intensifying concerns over national security and reflecting China’s increasingly aggressive and provocative coercion campaign in the South China Sea.
 - **References:**
 - [Yuki Fujita, *Philippines nabs alleged Chinese spies amid South China Sea tensions* \(Nikkei Asia, Mar. 20, 2025\)](#)
 - [Philippines to scrutinize donations by suspected Chinese spies \(Reuters, Mar. 3 2025\)](#)
 - [Dom McLain Gill, *Uncovering China’s spying game in the Philippines* \(The Lowy Institute, Mar. 11, 2025\)](#)
 - **Key points:**
 - Since January 2025, Philippine law enforcement has arrested multiple Chinese nationals accused of conducting surveillance on critical infrastructure, including military bases accessible to the United States under the Enhanced Defense Cooperation Agreement (EDCA).
 - Suspects allegedly engaged in intelligence, surveillance, and reconnaissance operations targeting Philippine Coast Guard stations, naval vessels, and ports.
 - In addition, the Philippine government is scrutinizing donations from China-affiliated civil groups that have been used to gain access to government officials and local security agencies.
 - To combat China’s increasingly coercive influence campaign, the *Philippine legislature is considering new legislation to tighten foreign influence, including stricter vetting of foreign investments in strategic sectors.*
- **17 March 2025:** China conducts large-scale drills near Taiwan.
 - **Bottom-line:** China has conducted large-scale military exercises involving both aircraft and naval vessels near Taiwan, prompting Taiwan to bolster its defense posture.
 - **References:**
 - [Christopher Bodeen, *China conducts air and sea drills near Taiwan in response to US and Taiwanese statements* \(AP News, Mar. 17, 2025\)](#)
 - **Key points:**

- Between March 10 and 11, China deployed military aircraft, drones, and ships around Taiwan in a coordinated military exercise, 43 of which entered Taiwan's air defense identification zone (ADIZ).
 - China also sent 11 high-altitude balloons into the Taiwan ADIZ on March 6, marking a record high of balloon flights into Taiwan's ADIZ in a single day.
 - China's Ministry of Foreign Affairs stated that the drills were a direct response to statements and actions of the U.S. and Taiwan.
 - Taiwan responded by reaffirming its commitment to self-defense, and accused China of deliberate intimidation tactics.
 - The ***United States opposes any unilateral changes to the status quo across the Taiwan Strait, and expects cross-Strait differences to be resolved by peaceful means, free from coercion, in a manner acceptable to the people on both sides of the Strait.***
- **16 March 2025:** Pentagon intensifies monitoring of space activities of Russia and China.
 - **Bottom-line:** the U.S. Department of Defense is closely observing recent advancements in space capabilities of Russia and China, reflecting growing concerns over the militarization of space and threats to U.S. assets.
 - **References:**
 - [Zachary Cohen and Oren Liebermann, Pentagon is closely monitoring Russia and China test military capabilities in space \(CNN, Mar. 16, 2025\)](#)
 - [Courtney Albon, China demonstrated 'satellite dogfighting' Space Force general says \(Defense News, Mar. 18, 2025\)](#)
 - [Dylan Malyshev, Russian space weapon shifts orbit after two-year hiatus \(Defense blog, Mar. 12, 2025\)](#)
 - **Key points:**
 - A top U.S. Space Force general said that ***China's satellites have been observed performing complex, synchronized movements in low Earth orbit, resembling "dogfighting" tactics.*** These maneuvers involve satellites moving in and out around each other in a controlled manner, indicating potential preparations for on-orbit space operations targeting other satellites.
 - In addition, as recently as last week, Russian satellites were observed working together to surround and isolate another satellite, demonstrating how they could potentially target enemy spacecraft in a future conflict. Following two years of inactivity, the Russian military satellite Kosmos- 2553 made a slight orbital adjustment. U.S. officials expressed concern as the satellite has been linked to tests involving anti-satellite capabilities.
 - The U.S., Russia, and China are all signatories to the 1967 Outer Space Treaty, which bans weapons of mass destruction in space. In April of 2024, Russia vetoed a UN Security Council Resolution that would have reaffirmed the opposition to nuclear weapons in space.
 - To demonstrate its continued leadership in space, in 2021 ***the U.S. Department of Defense released five Tenets of Responsible Behavior in Space, followed in 2023 by the release of tenet-derived responsible behaviors in space.***

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

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