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USINDOPACOM Legal Vigilance Update

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PREVAIL

Teammates,

Below please find the 44th 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:

"In today's contested Indo-Pacific, *Taiwan is not only on the frontline of military deterrence; it is also the primary laboratory for the Chinese Communist Party's (CCP's) evolving legal warfare*. The CCP's strategy, built not on missiles but on statutes, aims to hollow out Taiwan's legal, institutional, and societal defenses from within. This new front, less visible but equally dangerous, combines internal subversion with externally crafted laws to reshape regional norms...without firing a shot."

KaiChieh Hsu, Visiting Fellow at Global Taiwan Institute

[*The CCP's Legal Warfare Against Taiwan's Democracy \(Lawfare, Aug. 10, 2025\)*](#)

- 11 August 2025: a PLA Navy ship collided with a China Coast Guard (CCG) vessel while conducting dangerous and reckless maneuvers directed against Philippines Coast Guard (PCG) vessels near Scarborough Reef.

- **Bottom-line:** according to reports and [video footage](#), a CCG ship operating in the vicinity of Scarborough Reef began chasing PCG ship *BRP Suluan* at high speed, performing a "risky maneuver" that led to a collision with a nearby PLA vessel and extensive damage to the CCG vessel.

- References:

- [Philippines Condemns China After South China Sea Collision Captured on Video \(N.Y. Times, Aug. 12, 2025\)](#)
- [PCG Spokesperson Jay Tarriela, Remarks Regarding CCG Maritime Incident \(X, Aug. 11, 2025\)](#)

- Key points:

- The collision was the culmination of a reckless and brazen attempt by China's ships to harass and block two PCG vessels as they conducted a peaceful mission to supply Filipino fisherfolk with essential fuel and supplies.
- Both the CCG and PLAN vessels chased the PCG vessels in a dangerous and erratic manner, with personnel on both Chinese ships visibly rigging fenders — indicative of possible intent to ram the PCG vessels.
- The CCG vessel could also be seen firing a water cannon at the PCG vessels.



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- Ramming and high-pressure water cannons [can cause significant property damage and serious bodily injury to personnel](#).
- The CCG and PLAN vessels blatantly disregarded the International Regulations for Preventing Collisions at Sea (COLREGs), which require vessels to maintain safe speed, avoid collisions, and exercise good seamanship — ***failure to adhere to the “rules of the road” not only endangers mariners but also undermines the fundamental safety rules that have long ensured order and security at sea.***
- In a statement on 12 August, the [Philippines Department of Foreign Affairs said](#):
“[The People’s Liberation Army Navy (PLAN) and the China Coast Guard (CCG)] actions ***not only posed a grave danger to Philippine personnel and vessels, but also resulted in the unfortunate collision between the two Chinese vessels.*** Conscious of its obligations to render assistance in times of distress at sea...the Philippines without hesitation offered medical aid and other relevant support to the Chinese side, including towing the damaged China Coast Guard vessel out of the area to ensure the safety of navigation of other vessels...Yesterday’s incident ***demonstrates the importance of adhering to international maritime rules such as the 1972 International Regulations for Preventing Collisions at Sea (COLREGS) and the 1974 Safety of Life at Sea Convention (SOLAS).*** The Philippines has repeatedly emphasized the importance of maritime safety, and is prepared to work with relevant parties to draw lessons from this incident.”
- U.S. Ambassador to the Philippines MaryKay Carlson [condemned](#) China’s reckless actions directed against the Philippine vessel and commended the PCG for their professionalism in the situation.
- [Japan](#) and the [European Union](#) joined the U.S. in calling for China to comply with its obligations under international law, including the UN Convention on the Law of the Sea (UNCLOS) and the 2016 Arbitral Tribunal on the South China Sea.
- 10 August 2025: new articles detail full extent of China’s legal and hybrid warfare against Taiwan’s democracy, including China’s escalating and comprehensive cyber warfare campaign targeting Taiwan.
 - **Bottom-line:** the Chinese Communist Party (CCP) employs a variety of legal and hybrid warfare tactics against Taipei, aiming to “hollow out Taiwan’s legal, institutional, and societal defenses” through a “sustained campaign of political warfare and gray zone actions involving narrative control, election interference, cyber-attacks, and transnational repression.”
 - References:
 - [KaiChieh Hsu, The CCP’s Legal Warfare Against Taiwan’s Democracy \(Lawfare, Aug. 10, 2025\)](#)
 - [Davide Campagnola, Beijing’s hybrid warfare: How China seeks to win Taiwan without firing a shot \(Taiwan News, Aug. 10, 2025\)](#)
 - Key points:
 - In detailing the **CCP’s “legal infiltration tactics”** aimed at Taiwan, KaiChieh Hsu (a sitting judge who has presided over national security cases in Taiwan) states: “This campaign of legal warfare has been a core component of the CCP’s strategic thinking for more than two decades. Since its emergence in the 1999 military doctrine of “***Unrestricted Warfare***,” the concept has expanded to incorporate public opinion warfare and psychological warfare to encompass a full-fledged legal architecture. ***Its goal: to legitimize the CCP’s actions, delegitimize its adversaries, and manipulate international and domestic legal***



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frameworks to its advantage.”

- Judge Hsu writes: “Since the early 2000s, the CCP has enacted a series of domestic laws that lay the legal groundwork for the People’s Republic of China’s (PRC’s) multiprong campaign to expand its influence in the Indo-Pacific region. This legislation has legitimated the CCP’s strategic objectives and the policies it is implementing to achieve them—particularly toward Taiwan...These laws have provided the CCP domestic legitimacy for future military or economic actions and, internationally, at least a ***pretext that the PRC is a law-abiding power rather than a coercive aggressor.***”
- In a separate article in this week, David Campagnola detailed China’s “hybrid warfare” against Taiwan, writing that “[b]y shaping narratives, interfering in elections, conducting cyber-attacks, and engaging in transnational repression, Beijing aims to push for a government willing to accept its conditions, resume ‘normal’ cross-strait relations, and open the way for full diplomatic and economic pressure to marginalize so-called ‘separatist’ tendencies and isolate Taiwan from external support.”
- On the cyber warfare front, [according to the Australian Strategic Policy Institute \(ASPI\)](#), “Taiwan’s National Security Bureau reported more than 2.4 million intrusion attempts per day targeting government networks in 2024...[m]any of these are attributed to Chinese actors seeking to exfiltrate sensitive data and prepare for potential sabotage of communications, energy systems, and military infrastructure.”
- ASPI reports that “Beijing’s cyber operations are becoming more frequent, more sophisticated, and more intertwined with its broader political and military objectives.”
- These articles harken back to CDR Tim Boyle and Cheng Deng Feng’s thorough analysis from [March 2025](#) in which they described “China’s legal preparations for a Taiwan invasion,” stating: ***“Through legal instruments like the Anti-Secession Law, Beijing is setting conditions for the use of force by normalizing its legal claims, asserting jurisdictional control, and criminalizing resistance. This incremental approach to lawfare seeks to shift the strategic environment in China’s favor before conflict, making an eventual invasion seem like a reasonable and legally justified course of action.”***
- The United States’ [one China policy](#)—guided by the Taiwan Relations Act, the three Joint Communiques, and the Six Assurances—is rooted in an abiding interest in peace and stability across the Taiwan Strait, and an expectation that cross-Strait

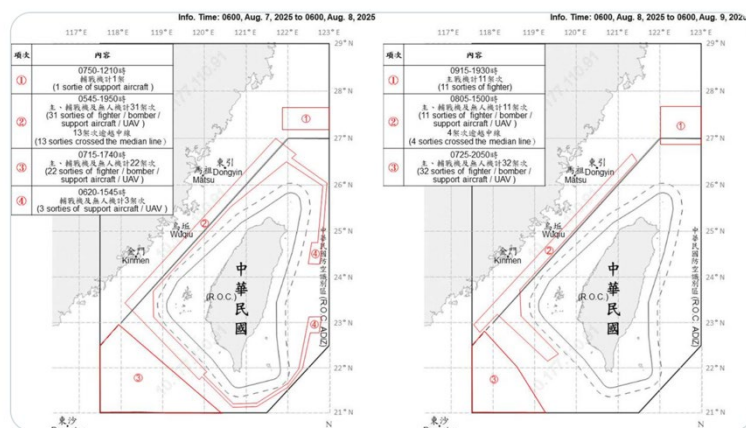


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Surge in Chinese air activity near Taiwan over the last 48 hours: 111 PLA aircraft detected operating around the island, & 85 crossed the median line and entered the air defense ID zone (ADIZ).

Biggest 2-day spike of 2025 & the most incursions since major drills in Oct 2024.



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differences will be resolved by peaceful means, free from coercion, in a manner acceptable to the people on both sides of the Strait.

- 11 August 2025: Canada and Taiwan sign MOU on dark vessel detection cooperation.
 - **Bottom-line:** *Taiwan and Canada signed a new memorandum of understanding (MOU) to expand cooperation under Canada's Dark Vessel Detection program, a satellite-enabled tool that helps coastal states combat illegal maritime activity, protect fisheries, and safeguard critical undersea infrastructure.*
 - References:
 - [Taiwan Ministry of Foreign Affairs Press Release, Taiwan and Canada sign MOU on dark vessel detection system \(Aug. 11, 2025\)](#)
 - [Government of Canada Press Release, DRDC helps detect dark vessels \(May 21, 2024\)](#)
 - [Michael Delizo, Tech from Canada to help Philippines track 'dark' ships in its waters \(ABS-CBN News, Jun. 30 2024\)](#)
 - Key points:
 - The Dark Vessel Detection program, developed by Defence Research and Development Canada (DRDC), uses satellite data to identify vessels that have deliberately switched off their AIS transponders to evade monitoring. These “dark vessels” are often linked to illegal, unreported, and unregulated (IUU) fishing and other illicit maritime activity.
 - By signing the MOU, Taiwan and Canada pledged to deepen cooperation against IUU fishing and other maritime threats, framing the effort as part of broader work to protect the marine environment, trade, and regional prosperity.
 - The Philippines already employs the system, which has allowed Manila to detect suspicious vessels operating without AIS in its exclusive economic zone, bolstering its ability to track IUU fishing and monitor threats to its sovereign rights.
 - Beyond fisheries enforcement, the system provides coastal states with enhanced maritime domain awareness that can support the protection of critical undersea infrastructure such as pipelines and cables, which are increasingly vulnerable to coercive or malicious interference.
 - ***This initiative strengthens the free and open Indo-Pacific by equipping partners with advanced tools to enforce sovereign rights, counter illicit and coercive maritime activities, and safeguard the economic lifelines of coastal communities.***
- 11 August 2025: UN Ambassador delivers remarks at UN Security Council meeting on maritime security.
 - **Bottom-line:** at the UN Security Council, the United States warned that China's unlawful maritime claims and expanding influence over the Panama Canal, alongside Iranian and DPRK threats, endanger global trade and the freedom of navigation that underpins security and prosperity.
 - References:
 - [Remarks at a UN Security Council Open Debate on Maritime Security \(U.S. Mission to the United Nations, Aug. 11, 2025\)](#)



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- Key points:
 - Speaking in support of maritime security and highlighting United States' continuing concerns "about China's outsized influence over the Panama Canal area, especially over critical infrastructure and port operations," Acting U.S. Representative to the UN Ambassador Dorothy Shea said: ***"China's expansive and unlawful maritime claims and aggressive actions demonstrate its threat to maritime security and commerce. The United States rejects such claims and stands with claimants in the face of China's provocative actions and intimidation."***
 - Ambassador Shea called for strict enforcement of UN Security Council maritime sanctions, especially those targeting arms transfers to the Houthis and funding/resources to North Korea's illicit nuclear and ballistic missile programs.
 - Ambassador Shea also noted that Iran continues to pose a threat to maritime security through its support for the Houthis and other terrorist groups, observing that "the United States has overwhelmingly borne the costs of defending freedom of navigation in the Red Sea."
 - In a separate article, [this week the New York Times reported](#) that Chinese automakers are shipping cars to Europe through the Red Sea and Suez Canal—despite continued Houthi attacks on cargo ships in the critical Middle East transit route that have forced other automakers to transit from Asia by way of a much longer, and expensive, trip around Africa.
 - The NY Times reports:
"Most shipping analysts assume that the Chinese government has reached an understanding with Iran or the Houthis not to harm car-carrier ships from China."
 - Of note, in April 2025 the U.S. Department of State confirmed that the Chinese company Chang Guang Satellite Technology Co., Ltd. had been directly supporting Iran-backed Houthi terrorist attacks on U.S. interests.
 - In the same April statement, the Department of State affirmed that ***"restoring freedom of navigation in the Red Sea is a priority to President Trump [and] the United States will not tolerate anyone providing support to foreign terrorist organizations, such as the Houthis."***



The BYD Explorer No. 1, carrying 5,000 electric cars, at a stop in Singapore last year on its way to the Netherlands. Ore Huiying for The New York Times