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**Subject:** INDOPACOM Legal Vigilance Update #31 (9 May 2025)  
**Date:** Friday, May 9, 2025 5:21:30 PM  
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Teammates,

Below please find the 31<sup>st</sup> edition of INDOPACOM's Legal Vigilance Update.

- **4 May 2025:** Philippine Coast Guard takes action against Chinese research vessel found to be conducting unsanctioned marine scientific research in Philippine exclusive economic zone.
  - **Bottom-line:** the Philippines Coast Guard (PCG) accused China of conducting unlawful marine scientific research activities in the Philippines' EEZ after spotting Chinese research vessel *Tan Suo 3* engage in irregular movements and activities, including retrieval of a manned deep-sea submersible and use of a rigid hull inflatable boat that appeared to have equipment in the water.
    - **References:**
      - [Reuters, Philippine coast guard says China ship conducting illegal survey within EEZ \(May 5, 2025\)](#)
      - [Jay Tarriela, Philippine Coast Guard Takes Action Against Chinese Research Vessel Off the Coast of Ilocos Norte \(X, May 4, 2025\)](#)
      - [Jay Tarriela, X Post \(Apr. 6, 2025\)](#)
      - [USINDOPACOM Jo6 TACAID, Marine Data Collection \(24 Apr. 2024\)](#)
    - **Key points:**
      - The Philippines Coast Guard (PCG) reported that Chinese research vessel *Tan Suo 3* was detected entering the Philippines' EEZ on May 1, 2025, around 92 nautical miles off the Philippines' northern Ilocos coast.
      - The PCG said *Tan Suo 3*'s "irregular movements were deemed...indicative of marine scientific research activities, which violate the sovereign rights of the Philippines."
      - *Tan Suo 3*'s submersible is reportedly capable of diving to 4,500 metres (2.8 miles) and is typically deployed for deep-sea exploration and scientific missions.
      - A second Chinese research vessel, *Zhong Shan Da Xue*, has operated around the northwest and northeast of the Philippines since the beginning of April, navigating in patterns indicative of marine scientific research activities.
      - ***Under UNCLOS, coastal state rights in the EEZ include jurisdiction over foreign marine scientific research—as such, foreign states seeking to conduct marine scientific research in another state's EEZ must provide notification and receive consent from the coastal state.***
      - China's extensive use of "scientific research vessels" within its baseless dashed-line claim—often alongside CCG and maritime militia and without coastal state consent in the EEZ—indicates that such vessels are a tool to advance China's excessive maritime claims, rather than or in addition to serving a legitimate scientific purpose."
- **April 2025:** new report outlines Beijing's use of political warfare against intervention forces.
  - **Bottom-line:** Professor Kerry Gershaneck and Eric Chan published an ***in-depth analysis of the Chinese Communist Party's (CCP) political warfare tactics designed to weaken Taiwan's resolve*** and preempt U.S. intervention.
    - **References:**
      - [Kerry Gershaneck and Eric Chan, Political Warfare Against Intervention Forces \(Journal of Indo-Pacific Studies, Spring 2025\)](#)
    - **Key points:**
      - The report highlights China's use of public opinion warfare, psychological warfare, and legal warfare as foundational tools to coerce adversaries without overt military escalations.
      - According to the report, in a crisis the CCP will aim to delegitimize U.S. intervention through narrative framing, disrupting strategic communication channels, and declaring unilateral "minimum benchmarks" that effectively equate to demands for Taiwan's capitulation.
      - The report highlights the use of hybrid assets such as PAFMM vessels, civilian roll-on/roll-off ferries, and law enforcement proxies to obscure military intent.
      - In one notable passage, the authors write:  
***"The CCP views political warfare as a critical tool for obstructing enemy force deployment and will likely employ a range of measures toward this end. The first is lawfare and the use of paramilitary forces to obscure aggression. As US forces begin deploying to Asia, first contact may not be with the PLA. Instead, Beijing will likely escalate its gray-zone "cabbage strategy," pushing the PAFMM and CCG to the forefront. The objective: maintain the fiction that the PRC is engaged in domestic law enforcement or a health-related "quarantine," rather than executing a military blockade against a sovereign state. Operationally, PAFMM and CCG units—straddling the line between military and civilian status—will serve as shields, daring Taiwan, the United States, and allied forces to initiate kinetic action."***
- **2 May 2025:** Taiwan launches counter-lawfare response to Somalia's ban on Taiwan passports.
  - **Bottom-line:** Taiwan's Ministry of Foreign Affairs (MOFA) has launched a diplomatic and legal counteroffensive in response to Somalia's China-backed ban on Taiwan travel documents, which serves as part of China's broader campaign to misrepresent UN General Assembly Resolution 2758.
    - **References:**
      - [Fam Wei-li, MFOA moves to counter China lawfare \(Taipei Times, May 4, 2025\)](#)
    - **Key points:**
      - On May 1, Somalia's Civil Aviation Authority announced a ban on travelers entering or transiting Somalia using Taiwan

- passports, citing China's so-called "one China principle" and UNGAR 2758 as justification.
  - Taiwan's MOFA accused Beijing of distorting UNGAR 2758, which recognized the People's Republic of China as the only lawful representative of China to the United Nations, but did not address Taiwan's representation, sovereignty, or international status.
  - ***The U.S. Mission to the UN reiterated in the previous month that UNGAR 2758 does not preclude Taiwan's meaningful participation in the UN, and denounced China's misuse of the resolution to pressure other states.***
- **5 May 2025: DPRK labor exports to Russia violate UN sanctions.**
  - **Bottom-line:** the Democratic People's Republic of Korea (DPRK) has revived an illegal overseas labor trade to support Russia's wartime economy by exporting laborers to Russia.
  - **References:**
    - [Matthew Luxmoore, Kim Jong Un's Latest Gift to Russia is Migrant Workers \(Wall Street Journal, May 5, 2025\)](#)
  - **Key points:**
    - According to the Republic of Korea, approximately 15,000 DPRK laborers are currently working in Russia, with the number jumping 12-fold in 2024, most of whom entered the country on student visas.
    - Concentrated largely in Russia's Far East, the workers provide Russian industry the benefits of long hours, low wages, and compliance.
    - The DPRK captures 90% of the laborers' earnings.
    - ***The UN Security Council has banned the use of DPRK overseas labor in UNSCRs 2371 (2017), 2375 (2017), 2397 (2017).***
- **5 May 2025:** Taiwan to tighten restrictions on travel to China amid growing counterintelligence concerns.
  - **Bottom-line:** Taiwan is drafting legal revisions to increase oversight and approval requirements for government officials to travel to the mainland as a part of its counter-infiltration strategy.
  - **References:**
    - [Chen Yu-fu and Sam Garcia, Rules on China trips to be tightened \(Taipei Times, May 5, 2025\)](#)
  - **Key points:**
    - In March 2025, Taiwan President William Lai announced a 17-point initiative to counter China's infiltration.
    - The government of Taiwan is considering amending regulations whereby legislators and senior officials with access to classified material would require joint review and pre-approval before travel to the mainland.
    - ***China has increasingly targeted elected officials, public servants, and local government personnel in Taiwan for influence and intelligence operations through academic exchanges, cultural visits, and organized United Front activities.***
    - Taiwan's actions to counter China's subversive tactics align with other global democratic efforts to increase transparency of foreign influence targeting officials such as the U.S. Foreign Agents Registration Act and Australia's Foreign Influence Transparency Scheme.
- **5 May 2025: U.S. House passes two bills to counter China's misrepresentation of UNGAR 2758.**
  - **Bottom-line:** the U.S. House of Representatives passed the Taiwan International Solidarity Act and the Taiwan Assurance Implementation Act, which clarify that UN General Assembly Resolution 2758 does not preclude Taiwan's meaningful participation in international bodies and require periodic reviews of Department of State guidelines on U.S. engagement with Taiwan and Taiwanese officials.
  - **References:**
    - [House Passes Connolly-Kim Taiwan International Solidarity Act \(House.gov, May 5, 2025\)](#)
    - [US House passes two Taiwan-related bills \(Taipei Times, May 6, 2025\)](#)
  - **Key points:**
    - The Taiwan International Solidarity Act amends the Taiwan Allies and International Protection and Enhancement Initiative Act (TAIPEI Act) of 2019.
    - The bill affirms that UNGAR 2758 recognized the PRC as the only lawful representative of China to the United Nations, but did not address Taiwan's representation, sovereignty or international status, or bar Taiwan's participation in international fora.
    - The bill would mandate U.S. representatives in international organizations oppose China's efforts to distort language, policies, or procedures relating to Taiwan.
    - The Taiwan Assurance Implementation Act would require the U.S. Department of State to conduct periodic reviews of its guidelines for U.S. engagement with Taiwan and Taiwanese officials.
- **5 May 2025:** satellite imagery contradicts China's claim of "excellent" conditions at Scarborough Shoal.
  - **Bottom-line:** despite China's 2024 claim that the environmental condition of Scarborough Shoal is "excellent," ***open source intelligence demonstrates sustained, CCP-sponsored ecological destruction in the South China Sea linked to the giant clam shell trade.***
  - **References:**
    - [Ray Powell, Beijing is Lying About the Condition of Scarborough Shoal \(Sealight, May 5, 2025\)](#)
  - **Key points:**
    - China's destructive clam-harvesting in the South China Sea is well-documented, most notably in the 2016 Arbitral Tribunal ruling.
    - ***The Arbitral Tribunal found that "Chinese fishing vessels have been engaged in widespread harvesting of giant clams through the use of boat propellers to break through the coral substrate in search of buried clam shells," concluding that China "breached its obligation to protect and preserve the marine environment in respect of its toleration and protection of the harvesting of giant clams by the propeller chopping method."***

- A temporary decline in activity followed Hainan's 2017 ban on live clam harvesting, but satellite imagery revealed renewed activity through early 2024, with a sudden disappearance of clam fleets in mid-June 2024 coincident with the arrival of China's investigation team.
  - The timing of the fishing fleet's withdrawal casts doubt on China's claims of environmental stewardship and suggest China is more concerned with preemptive image control rather than bona fide adherence to its obligation to preserve the marine environment.
  - China's destructive fishing techniques at Scarborough Shoal are more than an isolated instance – indeed, the 2016 Arbitral Tribunal noted that “[t]he Tribunal's experts also observe from satellite imagery the presence of tell-tale arc-shaped scars at Cuarteron, Fiery Cross, Gaven, Hughes and Mischief Reefs, indicating extensive propeller damage on the reef flats by boats likely harvesting giant clams.”
  - CSIS' AMTI project estimates that [approximately 16,535 acres of reef have been damaged by Chinese giant clam harvesting](#).
- **15 March 2025:** China's Fujian province issues new militia readiness incentives.
  - **Bottom-line:** in January of 2025, China's Fujian province released “Measures for Guaranteeing Militia Rights and Interests” to support its efforts to professionalize and incentivize its militia forces.
    - **References:**
      - [Ryan D. Martinson, \*Fujian Unveils Incentives for Militia Training for a Cross-Strait Campaign\* \(Jamestown China Brief, Mar. 15, 2025\)](#)
    - **Key points:**
      - China's militia is composed of part-time soldiers who support units in specialized functions such as cyber warfare, electronic warfare, and maritime surveillance.
      - The 2020 edition of [China's Science of Military Strategy](#) describes militia forces as responsible for “transport support, material and oil support, medical rescue, equipment repair, communication support, intelligence reconnaissance, [and] camouflage protection” during air, border and coastal defense, maritime, and information operations.”
      - Fujian province's new measures provide enhanced financial guarantees, social protections, and benefits for militia members.
      - Fujian province is directly across the Strait from Taiwan.
      - ***Analysts expect Fujian to play a critical role in any attempt by China to use force against Taiwan, with the Fujian militia potentially tasked with a wide range of front-line missions, including reconnaissance, search and rescue, transport, blockade enforcement, deception, and mine warfare.***
      - Only Fujian has publicly issued such regulations.
- **8 May 2025:** China warships conduct dangerous intercept of Philippine warships near Scarborough Shoal.
  - **Bottom-line:** two PLAN frigates and a China Coast Guard cutter executed aggressive maneuvers against the Philippine ship *BRP Emilio Jacinto* near Scarborough Shoal.
    - **References:**
      - [Aaron-Matthew Lariosa, \*Chinese Frigates Harass Philippine Navy Warship Near Scarborough Shoal\* \(USNI News, May 8, 2025\)](#)
      - [Philippines, \*China trade accusations on South China Sea confrontation\* \(Reuters, May 7, 2025\)](#)
    - **Key points:**
      - Video released by the Armed Forces of the Philippines shows a PLAN frigate cutting across *BRP Emilio Jacinto* bow, with another PLAN frigate shadowing close behind.
      - A CCG cutter also attempted to block the Philippine ship's transit.
      - The AFP condemned the maneuvers as “irresponsible” and “provocative.”
      - This is the ***latest example of China's increasingly dangerous and escalatory actions in the South China Sea.***
      - The United States has consistently reiterated its call for the China to comport its claims and actions with international law and to desist from dangerous and destabilizing conduct.
- **8 May 2025: U.S. sanctions third China-based “teapot” refinery for violating Iran oil sanctions.**
  - **Bottom-line:** the United States designated China-based Hebei Xinhai Chemical Group and associated oil terminals and shipping entities for violating sanctions on Iranian oil.
    - **References:**
      - [Tammy Bruce, \*Third China-Based “Teapot” Refinery Designated for Violating Iran Sanctions\* \(Department of State, May 8, 2025\)](#)
    - **Key points:**
      - Hebei Xinhai Chemical Group Co., Ltd., a China-based independent “teapot refinery, was sanctioned for purchasing and facilitating hundreds of millions of dollars' worth of Iranian oil in violation of U.S. sanctions.
      - Three additional oil terminal operators and a broad network of firms and vessels tied to Iran's “shadow fleet” were also designated for sanctions.
      - These entities facilitate covert oil shipments that fund Iran's destabilizing regional activities and proxy networks.
      - This marks the third time since issuance of National Security Presidential Memorandum 2 in February of 2025 that the U.S. has taken action against a China-based refinery.
- **9 May 2025:** Philippines investigates allegations of domestic sand dredging to fuel China's illegal South China Sea reclamation.
  - **Bottom-line:** according to reports, ***Philippine President Ferdinand Marcos Jr. has ordered a full investigation into reports that sand from domestic sources may have been exported for use in China's illegal artificial island construction in the South China Sea.***
    - **References:**

[Alexis Romero, Marcos Jr. orders probe into China dredging, reclamation projects \(The Philippine Star, May 8, 2025\)](#)

- [Jeoffrey Maitem, Philippines to probe claims of sand dredging for Beijing's South China Sea expansion \(South China Morning Post, May 9, 2025\)](#)

- **Key points:**

- The deputy director general of the Philippines National Intelligence Coordinating Agency (NCIA) told a Senate hearing that Chinese-linked reclamation and dredging operations have occurred within the Philippines, adding that unconfirmed reports indicate Philippine sand was used as landfill for Chinese military outposts.
- The probe ordered by President Marcos will also determine whether local governments are liable for the reported gathering of sand by China.
- The 2016 Arbitral Tribunal found that there is “no doubt that China’s artificial island-building activities on the seven reefs in the Spratly Islands have caused devastating and long lasting damage to the marine environment.”

- **9 May 2025:** U.S. and Republic of the Marshall Islands convene first Joint Committee Meeting under the Compact of Free Association framework.

- **Bottom-line: senior leaders from U.S. Indo-Pacific Command and the Republic of Marshall Islands (RMI) convened at the inaugural Joint Committee Meeting (JCM) under the Compact of Free Association (COFA) to reaffirm their mutual commitment to regional defense, maritime security, and capacity-building partnerships.**

- **References:**

- [Catherine Cruz-Norton, Senior Indo-Pacific Command officials, Republic of the Marshall Islands representatives host first Joint Committee Meeting: reaffirm commitment to security, peace, and prosperity \(Defense Visual Information Distribution System, May 9, 2025\)](#)

- **Key points:**

- Rear Admiral Greg Huffman (Commander, Joint Task Force-Micronesia), U.S. Ambassador Laura Stone, and RMI Foreign minister Kalani Kaneko led their respective delegations for the JCM, held in April 28-29 at INDOPACOM HQ in Hawaii.
- The meeting focused on four main lines of effort: defense responsibilities and training, internal security and law enforcement, maritime security and domain awareness, and environmental threats and hazard response.
- Discussions included potential infrastructure upgrades, expanded ship visits, and future U.S. defense developments.
- The COFA agreements include granting the United States sole and unfettered military access to the lands, waters and airspace of the Freely Associated States (FAS) while providing economic assistance in grants and contributions to accountable trust funds, access to certain U.S. federal programs for FAS citizens, and the ability for FAS citizens to live and work in the U.S.

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

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U.S. Indo-Pacific Command  
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