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# USINDOPACOM Legal Vigilance Update

## Issue #36, 13 June 2025

PREVAIL

Teammates,

Below please find the 36<sup>th</sup> 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:

"The steadfast friendship between the United States and the Philippines is rooted in our long history, marked this year by the 80th anniversary of our shared sacrifice that led to victory in World War II...**As we work together to uphold international law in the South China Sea, the United States remains unwavering in its ironclad commitments under the Mutual Defense Treaty.** We are committed to working alongside the Philippines as friends, partners, and allies to achieve our shared goals of peace, security, and prosperity."

[U.S. Secretary of State Marco Rubio, Philippines Independence Day \(Jun. 12, 2025\)](#)

- 12 June 2025: Taiwan court convicts Chinese national ship captain for damaging undersea cable.
  - **Bottom-line:** *a Chinese national has been sentenced to three years in prison for damaging an undersea cable connecting Taiwan's main island and the Penghu islands in the Taiwan Strait, marking the first sentencing after reports in recent years of undersea cables around Taiwan being severed.*
    - References:
      - [Koh Ewe and I-ting Chiang, Taiwan jails China captain for undersea cable sabotage in landmark case \(BBC, Jun. 12, 2025\)](#)
    - Key points:
      - The convicted Chinese national was the captain of *Hongtai 58*, a Togolese-flagged vessel with a Chinese crew that severed a cable connecting Taiwan and the Penghu Islands in February 2025.
      - Taiwan prosecutors argued that the ship captain had intentionally damaged the cable by pointing to electronic charts on the ship and the ship's irregular zigzag pattern around the cable.
      - Prosecutors also pointed to *Hongtai 58*'s Chinese interests, frequent name and flag changes, and deliberate efforts to obscure ownership.
      - According to the Taiwan court, the damage to cables linking Taiwan to the Penghu islands "seriously interferes with the government and society's operations."
      - ***Because Hongtai 58's actions occurred within Taiwan's territorial sea, Taiwan has jurisdiction to enforce its domestic laws for protection of undersea infrastructure*** (Article 21 of UNCLOS states "[t]he coastal State may adopt laws and regulations, in conformity with the provisions of this Convention and



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other rules of international law, relating to innocent passage through the territorial sea, in respect of...the protection of cables and pipelines”).

- Recent incidents threatening Taiwan’s undersea cables have focused the U.S. and likeminded partners on the urgent need for [coordinated measures](#) to counter threats to undersea infrastructure—including insurance-based vessel screening, tighter sanctions alignment and enforcement, promotion of economic liability for undersea harm, development of shared best practices, and ongoing information-sharing to anticipate and counter shadow fleet threats.
- 12 June 2025: China People’s Liberation Army (PLA) aircraft conducts dangerous intercept of Japanese Self-Defense Force (JSDF) patrol aircraft.
  - **Bottom-line:** Japanese defense officials reported that a ***PLA fighter jet twice flew dangerously close to a Japanese military plane over international waters in the Pacific Ocean last weekend***, the latest example of China’s reckless and destabilizing military behavior in the Indo-Pacific region.
    - **References:**
      - [Hisako Ueno and John Yoon, Japan Says Chinese Fighter Jet Flew Too Close to Its Military Plane \(NY Times, Jun. 12, 2025\)](#)
      - [Justin McCurry, Chinese fighter jet in near miss with Japan military plane as Pacific tensions rise \(The Guardian, Jun. 12, 2025\)](#)
    - **Key points:**
      - On back-to-back days last weekend, a PLA fighter from aircraft carrier CNS *Shandong* (17) carried out “unusual maneuvers” against Japan Maritime Self-Defense Force P-3C Orion Maritime Patrol Aircraft over the Philippine Sea.
      - According to reports, on 7 June, a PLA J-15 fighter shadowed a JMSDF P-3C for 40 minutes, and the J-15’s unusual approach to the P-3C came within 45 meters of the Japanese surveillance aircraft.
      - The following day (8 June), a PLA J-15 fighter shadowed a P-3C for 80 minutes and during that time an incident occurred where the J-15 fighter jet crossed approximately 900 meters ahead of the P-3C patrol aircraft’s course.
- The JSDF stated: “This unusual approach by Chinese military aircraft could potentially lead to an accidental collision, and we have expressed serious concern and strongly requested that this incident not be repeated.”
- As the [DoD’s 2024 China Military Power Report](#) states, “[t]he PRC routinely shadows and challenges U.S., allied, and partner military assets...and occasionally conducts risky and coercive maneuvers, such as close intercepts of aircraft or dangerous at-sea maneuvering to exert Beijing’s extraterritorial sovereignty claims.”
- ***Military aircraft, when intentionally approaching another, shall operate with professional airmanship and give due regard for the safety of other aircraft.***
- ***The U.S., its allies, and partners will continue to fly, sail, and operate—safely and responsibly—wherever international laws allow.***



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- 11 June 2025: four former staff of Taiwan's ruling party charged with spying for China.
  - **Bottom-line:** Taiwan prosecutors have charged four former staffers in the ruling Democratic Progressive party with spying for China while they worked in senior positions, part of Taiwan's renewed efforts to root out Taiwanese spies working for the Chinese Communist Party (CCP).
    - References:
      - [Helen Davidson, Four former staff of Taiwan's ruling party charged with spying for China \(The Guardian, Jun. 11, 2025\)](#)
    - Key points:
      - The accused held senior positions within the Democratic Progressive party, including one who previously worked for Taiwan's president and another who previously worked for Taiwan's national security chief.
      - The four former staffers stand accused of sharing state secrets with China over a prolonged period of time, including "important and sensitive diplomatic information" that significantly harmed national security, prosecutors alleged in a statement.
      - Prosecutors are seeking prison sentences ranging from five to more than 18 years, and the confiscation of more than NT\$8.3m (US\$277,000) in illicit gains.
      - Recently, ***Taiwan has ramped up its efforts to root out Taiwanese spies working for the CCP. In 2024, authorities prosecuted 64 people on such charges, more than in the previous two years combined.***

### Finally, looking ahead...

- 17 June 2025: CSIS Fifteenth Annual South China Sea Conference.
  - **Bottom-line:** on June 17, CSIS' Southeast Asia Program and Asia Maritime Transparency Initiative will present the Fifteenth Annual South China Sea Conference, a ***full-day conference that will feature in-depth discussion and analysis of developments in the South China Sea over the past year and potential paths forward.***
    - References:
      - [CSIS Fifteenth Annual South China Sea Conference \(Jun. 17, 2025\)](#)
    - Key points:
      - Panels include:
        - State of Play in the South China Sea
        - ***Legal Developments and Dispute Management***
        - Evolving Alliance Networks
        - ***Keynote: ADM Stephen Koehler, Commander, U.S. Pacific Fleet***
        - The Role of Outside Parties
      - CSIS reports that in-person attendance for this event is at capacity, but the event will be live webcast [here](#).

