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# USINDOPACOM Legal Vigilance Update

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PREVAIL

Teammates,

Below please find the 35<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:

"A Chinese invasion of Taiwan 'could be imminent,' Defense Secretary Pete Hegseth warned last week at the Shangri-La Dialogue in Singapore. 'Every day you see it,' Mr. Hegseth said. 'China's military harasses Taiwan. These activities have been paired with China's rapid military modernization and buildup—including huge investments in nuclear weapons, hypersonics and amphibious assault capabilities.'"

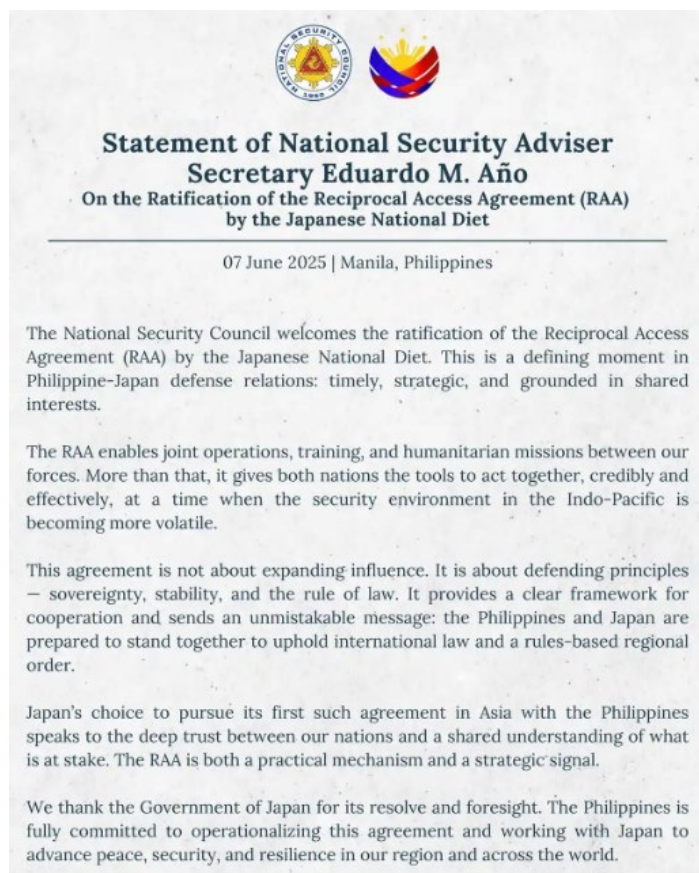
[Walter Russel Mead, \*The War of Revision Is Coming\* \(Wall St. Journal, June 2, 2025\)](#)

- **3 June 2025:** 36th Anniversary of the Tiananmen Square massacre.
  - **Bottom-line:** the U.S. Secretary of State commemorated the bravery of the Chinese people who were killed as they tried to exercise their fundamental freedoms, as well as those who continue to suffer persecution as they seek accountability and justice for the events of June 4, 1989.
    - **References:**
      - [Secretary of State Marco Rubio, Press Statement, On the 36th Anniversary of the Tiananmen Square Massacre \(U.S. Department of State, Jun. 3, 2025\)](#)
    - **Key points:**
      - In the spring of 1989, tens of thousands of students gathered in Beijing's largest public square to mourn the passing of a Chinese Communist Party (CCP) leader who tried to steer China toward a more open and democratic system.
      - Hundreds of thousands of ordinary people in the capital and throughout China took to the streets for weeks to exercise their freedoms of expression and peaceful assembly by advocating for democracy, human rights, and an end to rampant corruption.
      - The CCP responded with a brutal crackdown, sending the People's Liberation Army (PLA) to open fire in an attempt to extinguish the pro-democracy sentiments of unarmed civilians gathered on Beijing's streets and in Tiananmen Square.
      - The courage of unarmed, pro-democracy civilians in the face of certain danger reminds us that the principles of freedom, democracy, and self-rule are not just American principles—they are human principles the CCP cannot erase.



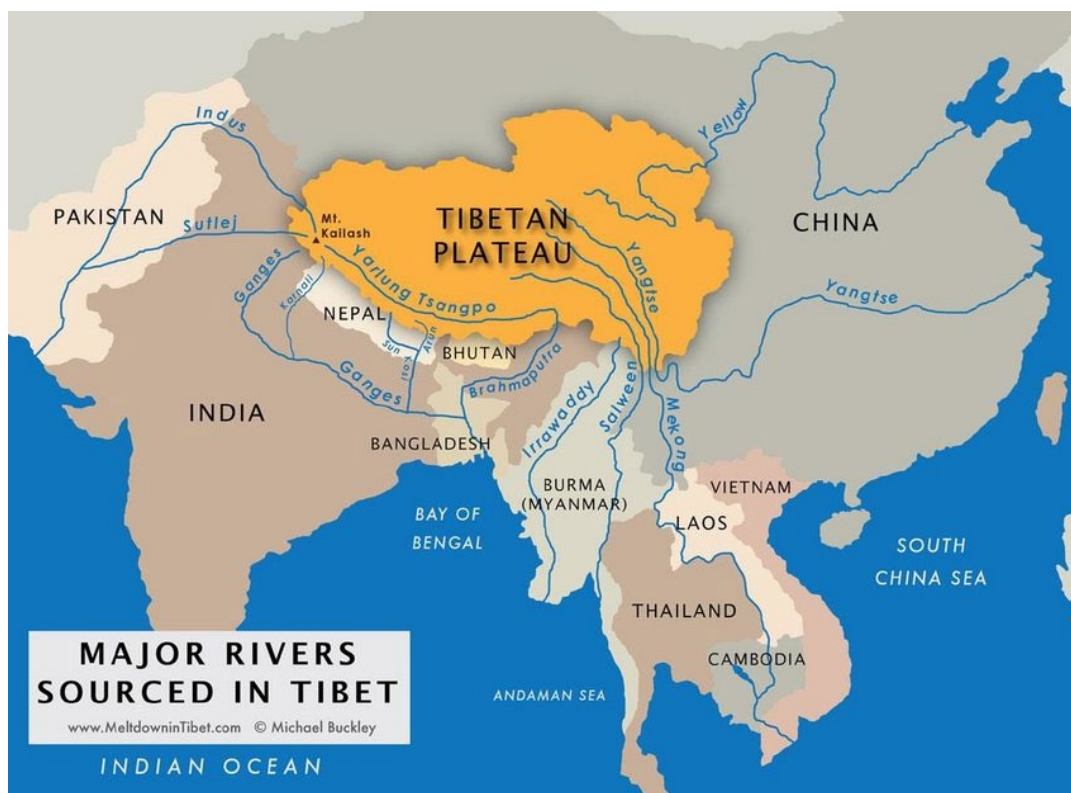
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- **6 June 2025:** Japan–Philippines reciprocal access agreement ratified, a strategic milestone in Indo-Pacific defense cooperation.
  - **Bottom-line:** Japan’s Diet has officially ratified the Reciprocal Access Agreement (RAA) with the Philippines, paving the way for deeper bilateral military cooperation, including joint exercises, humanitarian assistance, and disaster response operations.
    - References:
      - [Ma. Teresa Montemayor, Japan parliament approves military access pact with PH \(Republic of Philippines News Agency, Jun. 6, 2025\)](#)
    - Key points:
      - This landmark agreement reflects a growing alignment between two key Indo-Pacific democracies facing shared maritime security threats and legal challenges stemming from China’s coercive behavior in the region.
      - The RAA streamlines legal procedures for the reciprocal deployment of Japanese and Philippine forces, including customs, logistics, jurisdictional authority, and operational coordination—providing the legal foundation to support exercises, training, and rapid response deployments.
      - The RAA enables Japanese Self-Defense Forces to participate in Philippine-hosted multilateral activities (e.g., Balikatan, Kamandag), while positioning both nations to respond more effectively to gray-zone coercion, natural disasters, and strategic contingencies.
      - Both governments emphasized that ***the RAA is not about expanding influence, but about reinforcing the international legal order—anchored in sovereign rights and the freedom of navigation and overflight.***
      - The agreement serves as a legal counterweight to China’s efforts to redefine maritime norms through coercion and lawfare, reinforcing allied commitments to a free and open Indo-Pacific.
- **4 June 2025:** new report details China’s coercive construction efforts across the Tibetan Plateau.
  - **Bottom-line:** under the guise of economic development and connectivity, ***the Chinese Communist Party (CCP) is executing a long-term gray-zone coercion strategy on the Tibetan Plateau***—leveraging dams, roads, rail, and digital surveillance to repress internal dissent, reshape contested borders with India, and export authoritarian tools into neighboring countries such as Nepal.
    - References:



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- [Thomas Hader, Benjamin Jensen, Divya Ramjee, and Jose Macias III, \*China's Gray-Zone Infrastructure Strategy on the Tibetan Plateau: Roads, Dams, and Digital Domination\* \(CSIS, Jun. 4, 2025\)](#)
- Key points:
  - **Weaponizing Infrastructure:** the CCP redefines infrastructure as a latent instrument of state power.
    - Massive projects—dams on transboundary rivers, dual-use railways to border regions, and digital surveillance networks—serve as tools of compellence and deterrence while nominally justified as development.
  - **Coercive Water Diplomacy:** China-built dams on rivers originating in Tibet (e.g., Yarlung Tsangpo/Brahmaputra) position China to manipulate downstream water flow, affecting the economic and ecological security of India, Nepal, Bhutan, and Bangladesh.
    - These unilateral actions constitute a growing threat to regional stability and may violate principles of equitable and reasonable utilization under international water law<sup>250604\_Hader\_GrayZone\_S...</sup>
  - **Salami Slicing via “Border Villages”:** the CCP constructs subsidized “well-off” villages in disputed areas along the Line of Actual Control (LAC) with India.
    - These settlements, supported by dual-use infrastructure, are incrementally shifting facts on the ground without overt military conflict—an unlawful alteration of the status quo inconsistent with peaceful dispute resolution under the UN Charter.
  - **Digital Repression and Transnational Surveillance:** Huawei-backed surveillance systems in Nepal extend CCP monitoring beyond China’s borders, targeting Tibetan refugee populations and dissidents.
    - These activities contravene international human rights obligations related to privacy, freedom of expression, and protection from refoulement.
  - The Tibetan Plateau serves as a testbed for coercive gray-zone tactics that may be replicated elsewhere in the Indo-Pacific.





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- 4 June 2025: new articles highlight China's misrepresentation of UN Resolution 2758.
  - **Bottom-line:** Beijing increasingly weaponizes its misinterpretation of UN General Resolution 2758 to exclude Taiwan from global institutions, falsely claiming that the resolution determines the legal status of the sovereignty of Taiwan.
    - References:
      - [Miles Yu, \*The Fraudulent UN Resolution 2758 and the Courage to Recognize Taiwan\* \(The Hudson Institute, May 28, 2025\)](#)
      - [Nathan Attrill, \*UN Resolution 2758 was never about Taiwan. Beijing just pretends it was\* \(ASPI, Jun. 4, 2025\)](#)
    - Key points:
      - UNGAR 2758 (adopted on October 25, 1971) recognized China's representatives to the UN as "the only legitimate representatives of China to the United Nations," expelling Taiwan from the UN.
      - Contrary to China's assertions, however, [UNGAR 2758 does not support China's claim of territorial sovereignty over Taiwan](#).
      - Nevertheless, ***China conflates its "one-China principle" (and the contention that it maintains territorial sovereignty over Taiwan) with UNGAR 2758 in an attempt to provide international legitimacy to its sovereignty claims.***
      - Beijing falsely claims that UNGAR 2758 is global endorsement of the "one China principle," and uses UNGAR 2758 to pressure UN agencies to exclude Taiwan from participation in the WHO, ICAO, and other agencies—even though non-member states regularly engage within the UN system.
      - International articulation of the facts of UNGAR 2758—i.e. that it does not establish or affirm China's claim that Taiwan is an inalienable part of China's territory, nor does it bar Taiwan from membership in international organizations where statehood is not a requirement—can serve an important function in countering China's lawfare.
- 4 June 2025: China sets up international mediation body in Hong Kong.
  - **Bottom-line:** ***Beijing's creation of a new international mediation body is rich with irony—offering to resolve disputes peacefully while still rejecting the legally binding 2016 South China Sea arbitral tribunal ruling that held it accountable under international law.***
    - References:
      - [Sharareh Abdolhoseinzadeh, \*China and Institution-Building in Competition with the West: Can Beijing Rewrite the Global Mediation Order?\* \(Jurist News, Jun. 4, 2025\)](#)
    - Key points:
      - According to reports, a video shown at the signing, which was presided by Chinese Foreign Minister Wang Yi, said the scope of cases that would be handled by IOMed include disputes between countries, between a country and nationals of another country, and between private international entities.

### 2758 (XXVI). Restoration of the lawful rights of the People's Republic of China in the United Nations

*The General Assembly,*  
*Recalling the principles of the Charter of the United Nations,*

*Considering that the restoration of the lawful rights of the People's Republic of China is essential both for the protection of the Charter of the United Nations and for the cause that the United Nations must serve under the Charter,*

*Recognizing that the representatives of the Government of the People's Republic of China are the only lawful representatives of China to the United Nations and that the People's Republic of China is one of the five permanent members of the Security Council,*

*Decides to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith the representatives of Chiang Kai-shek from the place which they unlawfully occupy at the United Nations and in all the organizations related to it.*

*1976th plenary meeting,  
25 October 1971.*

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- Beijing's launch of IOMed is the latest effort in its campaign to reshape the stable international system that has supported global security for nearly a century, all under the guise of promoting "cooperation" and "dialogue."
  - The irony is stark: China now champions a new venue for resolving international disputes—while continuing to reject the legally binding 2016 Arbitral Tribunal ruling, which was legally binding on China under the UN Convention on the Law of the Sea.
  - Rather than reinforcing international law, IOMed reflects Beijing's preference for selectively applying rules that align with its interests.
- 2 June 2025: EU-Philippines announce establishment of new security and defense dialogue.
    - **Bottom-line**: during a joint press conference in Manila, EU High Representative Kaja Kallas and Philippine Foreign Secretary Enrique Manalo reaffirmed their "commitment to upholding the rules-based international order, to promoting peace and stability and to addressing common challenges together."
    - References:
      - [Philippines: Remarks by High Representative/Vice President Kaja Kallas at the joint press conference with Secretary of Foreign Affairs Enrique Manalo \(European Union Diplomatic Service, Jun. 2, 2025\)](#)
      - [Sebastian Strangio, China Accuses EU of Stirring Up 'Trouble' in South China Sea \(The Diplomat, Jun. 6, 2025\)](#)
    - Key points:
      - The new EU-Philippines security and defense dialogue will cover maritime security, cyber security, foreign information manipulation, counterterrorism, and crisis response.
      - The EU and Philippines expressed their shared concerns regarding China's "illegal, coercive, aggressive, and deceptive measures against Philippine vessels and aircraft conducting lawful maritime operations in the South China Sea."
      - EU High Representative Kallas said: ***"we reject any unilateral changes to the status quo, including use of coercion. And, of course, we are supporting all the partners who are believers of international law, and we are willing to defend the law as well, because if you do not defend the law, then the situation in the world and global sphere would be much, much different."***
  - 4 June 2025: China exploits ID card system and influence operations to drive cross-Strait integration.
    - **Bottom-line**: Beijing is weaponizing a multi-tiered identification card system in its effort to coercively integrate Taiwan citizens into its system and influence domestic Taiwan affairs.
    - References:
      - [Sze-Fung Lee, PRC ID Cards and Hybrid Warfare: The Accumulated Impact on Taiwan and Potential Countermeasures \(Global Taiwan Institute, Jun. 4, 2025\)](#)
    - Key points:
      - Beijing is weaponizing identity documents—such as settlement certificates and residence permits—as tools of gray zone pressure against Taiwan.
      - An estimated 200,000 Taiwan citizens may already hold China-issued passports, signaling a growing population exposed to Chinese legal and political influence.
      - Under Taiwan's Act Governing Relations Between the People of the Taiwan Area and the Mainland Area (Cross-Strait Act), acquiring household registration in China is illegal. In response, Taiwan's National Immigration Agency has required more than 12,000 individuals to renounce their China registrations.
      - This is not a documentation campaign—it is a campaign of domination. China's identity cards serve as legal anchors to advance Beijing's long-term narrative of political legitimacy over Taiwan.

## UNCLASSIFIED

- ***By offering identification documents alongside economic incentives and disinformation, China seeks to normalize affiliation and undermine Taiwan's domestic affairs from within.***
- 4 June 2025: China is escalating its gray-zone campaign against Taiwan by targeting one of the island's most critical vulnerabilities: its undersea cable infrastructure.
  - ***Bottom-line: China-flagged and affiliated vessels have repeatedly threatened Taiwan's undersea cables since 2023 as a part of Beijing's campaign to isolate and weaken Taiwan.***
    - References:
      - [Jamie Ocon and Jonathan Walberg, \*China's Undersea Cable Sabotage and Taiwan's Digital Vulnerabilities\* \(Global Taiwan Institute, Jun. 4, 2025\)](#)
    - Key points:
      - Taiwan relies on just 24 undersea cables—each a critical node for military communications, financial systems, and emergency coordination.
      - Since 2023, at least five Taiwanese cables have been damaged by Chinese-crewed or Chinese-flagged vessels, including the *Shunxin 39* and *Hong Tai 58*.
        - These actions consistently occur near Taiwan's Matsu, Penghu, and northern waters, suggesting deliberate targeting rather than random accidents.
      - Beijing denies involvement, framing the incidents as maritime accidents—but the use of obscure flag states, loitering behaviors, and specialized cable-cutting equipment designed by Chinese researchers underscore intent.
      - Taiwan has begun blacklisting 96 suspicious vessels and expanding Navy–Coast Guard coordination.
        - Taiwan's defense minister has reclassified cable protection as a national security priority, and new maritime domain awareness initiatives (AIS enforcement, radar and satellite monitoring, and electronic intelligence) are being proposed to close detection gaps.

