

Gulf Challenge:

Iran's Seizure of British Naval Personnel

by [Simon Henderson \(/experts/simon-henderson\)](/experts/simon-henderson)

Mar 26, 2007

ABOUT THE AUTHORS



[Simon Henderson \(/experts/simon-henderson\)](/experts/simon-henderson)

Simon Henderson is the Baker fellow and director of the Bernstein Program on Gulf and Energy Policy at The Washington Institute, specializing in energy matters and the conservative Arab states of the Persian Gulf.



Brief Analysis

On March 23, at 10:30 a.m. local Iraqi time, fifteen British naval personnel were seized by Iran's Islamic Revolutionary Guard Corps (IRGC) in the northern Persian Gulf. The British personnel -- eight from the Royal Navy and seven from the Royal Marines -- were in two light craft returning to the frigate HMS Cornwall after successfully inspecting a merchant ship for goods being smuggled into Iraq. Iran has accused the personnel, who include one woman, of illegally entering Iranian territorial waters, and has threatened to put them on trial. The incident is a diplomatic and military embarrassment to Britain. Meanwhile, fears of escalation in the Gulf have contributed to a global surge in oil prices.

United Nations-Backed Operation

The British forces had boarded an Iraqi merchant ship in support of United Nations Security Council Resolution 1723, which is the current mandate for the U.S.-dominated multinational force that operates in support of the Iraqi people and government. HMS Cornwall is the flagship of Combined Task Force (CTF) 158, made up of ships from the British, U.S., and Australian navies. It operates in the northern Gulf, maintaining security on and around Iraq's two offshore oil terminals. One of these terminals, Khor al-Amaya, is under repair after being damaged by fire in May 2006, but the other, al-Basrah, handles a reported 1.2 million barrels per day -- the bulk of Iraq's current exports.

This latest incident echoes Iran's June 2004 capture of eight British personnel in the Shatt al-Arab waterway, a confluence of the Tigris and Euphrates rivers that forms the border between Iran and Iraq. The actual border is invisible, being the midpoint of the deepwater channel. The six British marines and two sailors were released after three days; however, their boats, weapons and other equipment were retained by Iran. British officials acknowledged that they may have strayed unintentionally over the dividing line (see [PolicyWatch no. 879, "Incident in the Shatt al-Arab Waterway: Iran's Border Sensitivities" \(http://www.washingtoninstitute.org/templateC05.php?CID=1757\)](http://www.washingtoninstitute.org/templateC05.php?CID=1757)).

Uncertain Maritime Boundaries

Britain has declared that this time -- despite Iranian claims -- there is no doubt that the British personnel were operating in Iraqi waters. The validity of such a statement is uncertain: the BBC quoted a London academic expert

saying that Iran and Iraq have never agreed to a boundary of their territorial waters. No information has been released on the locations of the searched merchant ship or the personnel at the time of interception.

The geography of the area leaves room for confusion. Sandwiched between Iran and Kuwait, Iraq has a very narrow coastline -- about 12 nautical miles (14 miles). Under international law, each country can claim territorial waters of 12 nautical miles, with typically 12 more nautical miles being a "contiguous zone," in which a state can continue to enforce laws regarding activities such as smuggling or illegal immigration. Iraq's two offshore oil terminals are themselves outside its territorial waters -- about 15 and 19 nautical miles from the Iraqi coast, respectively.

Another issue for possible debate is the right to commercial exploitation of offshore oil and gas reserves. Iran claims rights to the midpoint of the Gulf, but there are still areas of dispute. For example, Iran and Kuwait have also yet to agree on a maritime boundary. (This particularly affects the development of the huge offshore Dorra field. Saudi Arabia and Kuwait have agreed to share it equally, but this is contested by Iran, which in the past has sent gunboats to stop its development.)

British Tactics

Lacking any military answer to the problem, London appears to be relying wholly on diplomacy to secure the release of its captured personnel. Prime Minister Tony Blair has described the seizure as "unjustified and wrong." Speaking of the captured personnel, he stated that he "hoped they would be freed in the next few days." The British government is trying to play down the issue. On its website, the British Ministry of Defense (MoD) states: "Any speculation about what might happen or the way our people may be treated could be genuinely dangerous, and the MoD urges media to refrain from such speculation while the Government conducts its urgent discussions with the Iranian authorities."

Internationally, there is concern that Tehran will either try to put the personnel on trial or will seek a tough diplomatic bargain in addition to a British apology. Among Iranian demands may be the release of five IRGC officers seized by U.S. forces in northern Iraq in January. A further possibility is some concession on the growing nuclear crisis. The day after the British personnel were seized, the UN Security Council unanimously passed a resolution imposing new, stringent sanctions designed to force Tehran to suspend its uranium enrichment and negotiate over its nuclear program. Two days earlier, Iranian foreign minister Manoucher Motaki had condemned British diplomatic tactics on the issue.

U.S. Position

The United States has been pleased that its operations in the Gulf are supported so closely by allies such as Britain. In Qatar (from where air operations over Iraq and Afghanistan are controlled) and Bahrain (where the U.S. Fifth Fleet has its headquarters), American and British personnel work shoulder to shoulder. It is to be wondered at that HMS Cornwall allowed its boarding party to be surprised by the sudden swarm tactics of IRGC units, and then took no action to stop the seized personnel from being taken to land. Quoted in *The Independent*, Lt. Cdr. Erik Horner of USS Underwood said, "Our reaction was: why didn't they defend themselves?"

The potential ramifications of the incident are great. There is a danger that it could serve to regionalize the Iraqi conflict along the length of the Persian Gulf. If the crisis continues, it could provoke further domestic political opposition in Britain, where public opinion is deeply concerned about military losses in Iraq and Afghanistan as well as Britain's closeness to the United States. Iran is already playing with British public sentiments -- last week, a senior British officer in Basra blamed Iranian agents for recent attacks on British forces there. For Prime Minister Blair, expected to retire this summer, it is yet one more challenge to his legacy.

Simon Henderson is the Baker fellow and director of the Gulf and Energy Policy Program at The Washington Institute. He has just returned from a trip to Bahrain, Qatar, and the UAE. ❖

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