

**Committee:** Historical Security Council

**Issue:** Addressing the Issue of the British Royal Navy Arrest in the Persian Gulf

**Student Officer:** Natasha Panagiotou

**Position:** Deputy President

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## PERSONAL INTRODUCTION

Dear delegates of the Historical Security Council,

My name is Natasha Panagiotou and I am a 9<sup>th</sup> grader at Anavryta Model Junior High School. This year I will have the honor to serve as a Deputy President in the Historical Security Council of the 5<sup>th</sup> annual ACGMUN. This conference will be my first chairing experience and my seventh conference overall.

First of all, I would like to congratulate all of you for your decision to get involved in the challenging MUN world and participate in this conference. I can assure you that MUN is an incredible experience, since you get the chance to improve your public speaking and negotiating skills, ameliorate your use of the English language and last, but not least, make great friends!

Both of the topics of this year's agenda are topics that have previously concerned the United Nations. However, this study guide will focus on the second topic of the agenda, namely *Addressing the Issue of the British Royal Navy Arrest in the Persian Gulf*.

This study guide will provide you with some basic knowledge and information upon the issue and explain the important aspects of the matter. However, considering that this study guide is anything but enough, you are advised to do further research on your country's policy and involvement in the matter, so as to be fully prepared for the conference.

My email address is [natpanag07@gmail.com](mailto:natpanag07@gmail.com) . Do not hesitate to contact me if you have any questions regarding this study guide, our topic, your delegation's policy or the rules of procedure in general.

I am looking forward to meeting you all!

Best regards,

Natasha Panagiotou

## TOPIC INTRODUCTION

On 23 March 2007, fifteen Royal Navy personnel from HMS Cornwall were searching for a merchant vessel, an Iraqi boat, when they were enclosed by the Navy of the Iranian Revolutionary Guards and were seized at gunpoint in the Gulf of Iran. In the course of events, British forces alleged that the vessel was in Iraqi waters, but the Iranians claimed that they were in Iran's territorial waters. This event started a political crisis at a time of heightened pressures over Tehran's nuclear intentions. The fifteen marines were released thirteen days later, on 4 April 2007.

Britain said two boatloads of mariners and marines had searched a cargo boat in Iraqi waters on a United Nations approved charge when Iranian gunboats encircled and captured them. No shots were fired, and the British soldiers were unharmed, officers said. Iran indicted the British of immorally entering its waters, an accusation denied by the United Kingdom, averring they were in Iraqi home on a routine command.

The incident came as UN Security Council members were putting the final traces to a resolution assessing new warrants in Iran over its refusal to halt sensitive nuclear work. Britain summoned Iran's ambassador in London and demanded the soldiers' immediate release.

The arrest episode reflected a similar event in 2004 when Iran seized eight British servicemen in the narrow waterway that separates Iran from Iraq and held them for three nights. Also, as now, the Iranians accused the British of trespassing into Iranian waters, a charge Britain rejected. He said those held by the Iranians comprised eight Royal Navy mariners and seven marines.



**Figure 1:** The 15 detainees <sup>1</sup>

<sup>1</sup> U.K. Royal Navy takes lead in Persian Gulf shipping protection mission. (2020, January 30). USNI News. <https://news.usni.org/2020/01/30/u-k-royal-navy-takes-lead-in-persian-gulf-shipping-protection-mission>

## DEFINITION OF KEY TERMS

### Merchant

“A person whose job is to buy and sell products in large amounts, especially by trading with other countries”<sup>2</sup>.

### Navy of the Iranian Revolutionary Guards

The Navy of the Iranian Revolutionary Guards, or Islamic Revolutionary Guard Corps Navy (IRGC Navy) is a branch of the Iranian Armed Forces, founded after the Iranian Revolution on 22 April 1979 by the order of Ayatollah. This branch has steadily improved its capabilities to support unconventional warfare and defend Iran's offshore facilities, coastlines, and islands in the Persian Gulf<sup>3</sup>.

### The Royal Navy (RN)

is the United Kingdom's naval warfare force. The modern Royal Navy traces its origins to the early 16th century; the oldest of the UK's armed services, it is consequently known as the Senior Service.<sup>4</sup>

### Persian Gulf

Also called Arabian Gulf, shallow marginal sea of the Indian Ocean that lies between the Arabian Peninsula and southwestern Iran.<sup>5</sup>

### Sanction

“An official order, such as the stopping of trade, that is taken against a country in order to make it obey international law or in order to make people obey a law or rule, or a punishment given when they do not obey”<sup>6</sup>.

### Warfare

“The activity of fighting a war, often including the weapons and methods that are used (guerrilla/naval/nuclear/trench warfare)”<sup>7</sup>.

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<sup>2</sup> Merchant. (n.d.). Cambridge Dictionary | English Dictionary, Translations & Thesaurus.

<https://dictionary.cambridge.org/dictionary/english/merchant?q=merchant+>

<sup>3</sup> Islamic Revolutionary Guard Corps. (n.d.). Encyclopedia Britannica.

<https://www.britannica.com/topic/Islamic-Revolutionary-Guard-Corps>

<sup>4</sup> List of Royal Navy shore establishments. (n.d.). WikiMili.com. Retrieved February 12, 2022, from

[https://wikimili.com/en/List\\_of\\_Royal\\_Navy\\_shore\\_establishments](https://wikimili.com/en/List_of_Royal_Navy_shore_establishments)

<sup>5</sup> What is the Arabian Gulf also called? (n.d.). SidmartinBio – Wide base of

knowledge. <https://www.sidmartinbio.org/what-is-the-arabian-gulf-also-called/>

<sup>6</sup> Sanction. (n.d.). Cambridge Dictionary | English Dictionary, Translations & Thesaurus.

<https://dictionary.cambridge.org/dictionary/english/sanction>

<sup>7</sup> Warfare. (n.d.). Cambridge Dictionary | English Dictionary, Translations & Thesaurus.

<https://dictionary.cambridge.org/dictionary/english/warfare>

## BACKGROUND INFORMATION

### The release of the personnel

On 23 March 2007, a team of eight mariners and seven Royal Marines in two rigid-hulled inflatable boats from the Type 22 frigate HMS Cornwall had been searching a trafficker dhow for smuggled automobiles when they were detained by the crews of two Iranian boats; an additional six Iranian boats then assisted in the seizure. The British personnel were taken to an Iranian Revolutionary Guards base in Tehran for questioning. Iranian officials claimed that the British mariners were in Iranian waters. A University of Durham analysis of the original Iranian identification of the position of the boats showed that the position given was in Iraqi waters. "According to the British Ministry of Defense (MoD), the Iranians issued a "corrected" locale, which placed the boats in Iranian waters."<sup>8</sup>



**Figure 2:** Map of the Persian Gulf <sup>9</sup>

Intense diplomatic efforts were made to secure the release of the detainees. On 28 March 2007 TV channels around the world showed footage released by the Iranian government of some of the fifteen British mariners. This included a statement by captured Royal Navy sailor Faye Turney, along with a letter she wrote under compulsion, which apologized for British intrusions into Iranian waters. Over the next two days a further videotape was shown on Iranian TV displaying three of the detained

<sup>8</sup> 2007 Iranian arrest of Royal Navy personnel. (2007, March 23). Wikipedia, the free encyclopedia. Retrieved February 12, 2022, from [https://en.wikipedia.org/wiki/2007\\_Iranian\\_arrest\\_of\\_Royal\\_Navy\\_personnel](https://en.wikipedia.org/wiki/2007_Iranian_arrest_of_Royal_Navy_personnel)

<sup>9</sup> 15 Royal Navy sailors captured at gunpoint by Iranian guards. (2007, March 23). Wikinews, the free news source. Retrieved February 25, 2022, from [https://en.wikinews.org/wiki/15\\_Royal\\_Navy\\_sailors\\_captured\\_at\\_gunpoint\\_by\\_Irania](https://en.wikinews.org/wiki/15_Royal_Navy_sailors_captured_at_gunpoint_by_Irania)

Britons; and two added letters attributed to Faye Turney were released, again claiming the British boats were in Iranian waters. Iran stated that an apology from British officers would "facilitate" the release of the force.<sup>10</sup>



**Figure 3:** Map of Iraq<sup>11</sup>

On that occasion the men were afterward released unharmed, but only after being paraded blindfolded on Iranian Television and made to apologize for their role in the incident. The equipment wasn't returned.

### **The first information and the following diplomatic conversations**

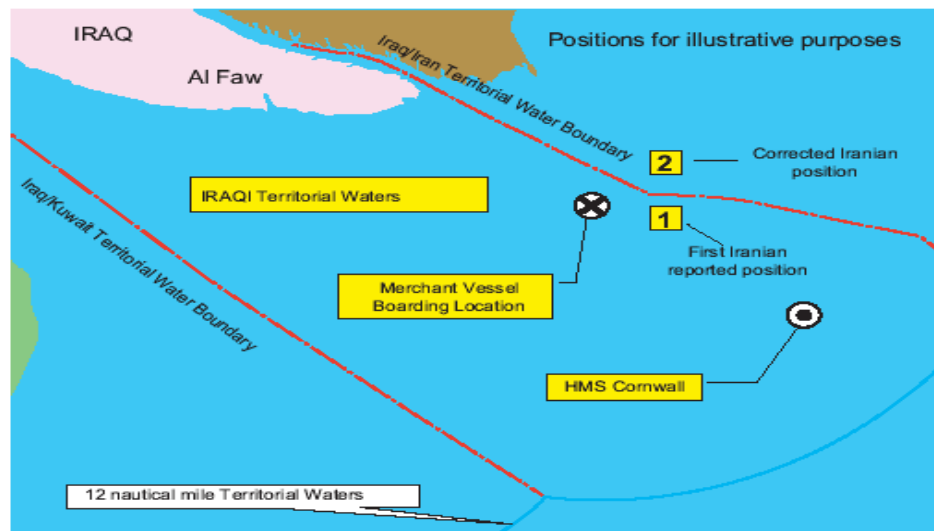
The Royal Navy claimed that they were operating legitimately in Iraqi waters the Iranians said they were in fact in Iranian waters. "This morning three British vessels with eight crew entered the Islamic Republic of Iran's waters and Iran's naval forces, acting on their legal duty, confiscated the vessels and arrested the crew," Tehran's foreign ministry spokesman, Hamid Reza Asefi, said. "The crew are under investigation in order to clarify the issue." This inside/ outside argument went on for the duration and long after the crisis with both sides delivering information showing they were in the right. Geographically, the incident occurred near the Shatt al-Arab (Arvandrud) waterway, which forms the southern border between Iran and Iraq. Territorial and nautical control over the raceway has been a constant source of disunion between the two countries that helped to spark the Iran-Iraq war in the 1980s.

<sup>10</sup> Haynes, D., & Majendie, P. (2007, March 29). Faye Turney human face of Iran-Britain crisis. U.S. <https://www.reuters.com/article/uk-iran-britain-turney-idUKL2843712020070329>

<sup>11</sup> Iraq. (n.d.). Encyclopedia Britannica. <https://www.britannica.com/place/Iraq>

Information provided by Britain initially consistently placed the boats in Iraqi waters. Still, the subsequent report by the House of Commons Foreign Affairs Select Committee verified that the British Ministry of Defense map presented to the worldwide media was "inaccurate" as it presented a boundary line when no maritime boundary between the two countries had been agreed upon, and so "The Government was fortunate that it wasn't in Iran's interests to contest the accuracy of the map."<sup>12</sup> The Foreign Affairs Committee also blamed the government for failing to contact a key Iranian negotiator in a timely manner. Later reports, citing documents from the MoD inquiry into the incident, stated that the British mariners captured by Iran were in disputed waters, that the US- led coalition had drawn a boundary line between Iran and Iraq without informing the Iranians, and that Iranian coastal protection vessels regularly crossed this coalition- defined boundary.

The British government stated that the team had been conducting a compliance examination of a trafficker boat under the mandate of United Nations Security Council Resolution 1723.<sup>13</sup> In support of this resolution, the British forces had boarded an Iraqi trafficker boat, which is the current accreditation for the US- dominated transnational force that operates in support of the Iraqi people and government. While moving along the Shatt al-Arab waterway, the merchantman had aroused the dubitation of a Royal Navy copter. Cornwall was part of the British contribution to multinational forces engaged in the Iraq War.



<sup>12</sup> Timeline of nuclear diplomacy with Iran. (n.d.). Arms Control Association | The authoritative source on arms control since 1971. <https://www.armscontrol.org/factsheets/Timeline-of-Nuclear-Diplomacy-With-Iran>

<sup>13</sup> Resolution 1723 (2006) /. (n.d.). United Nations Digital Library System. <https://digitallibrary.un.org/record/587463?ln=en>

**Figure 4:** Positions of the ships involved in the incident<sup>14</sup>

The British Ministry of Defense reiterated this by putting out a bulletin late in the day stating that the Royal Navy help had been “engaged in routine boarding operations of trafficker shipping in Iraqi territorial waters” and had finished their search of the suspect vessel when they were surrounded by Iranian forces and taken into prison.

Article 36 of the Vienna Convention on Consular Relations,<sup>15</sup> to which 170 nations are party which “requires a nation arresting or detaining a foreign national to afford the detainee access to his or her consulate and to notify the foreign public of the right of consular access”. In this case, Iran fully ignored the Convention. It denied access despite repeated requests. Several fruitless meetings at the Ministry of Foreign Affairs got nowhere. They weren't listening. Because of this, the situation veritably snappily escalated upwards, and it fell to the Ambassador to take the lead relatively correctly now on this. The Ambassador was doing his level best to bring some traction with the Iranians and allowed others to deal with the foreign press who had swamped into Tehran to cover the story. Relatively honestly, they would have been better off staying in London where this whole affair was now being gambled out at Ministerial and Prime Minister/ Presidential level.

Then, Iran’s President Ahmadinejad on 4th April held a press conference to announce the release of the internees as a “gift” to the British people.<sup>16</sup> They would be released the following day. The coming day, they were driven to Tehran airport. They were decked out in beaming new suits (apart from the only lady) and all clinging plastic carrier bags full of Iranian chattels. They all were looking forward to going home although fairly nervous as to what people would suppose of their actions during confinement.

### **Similar earlier hostile Iran- Navy Personnel Encounter**

British officers were cautious of drawing the conclusion that the incident was a deliberate provocation by Tehran, which denies Western allegations that its nuclear energy program is a front for developing atomic arms. It reflected an analogous event in 2004. The Iranian seizure of Royal Navy personnel took place in the Shatt al-Arab waterway on 21 June 2004. Six Royal Marines and two Royal Navy mariners were captured. The British soldiers were seized while training Iraqi river patrol personnel after Iran said they had erred to the Iranian side of the waterway. They were hovered

<sup>14</sup> 2007 Iranian arrest of Royal Navy personnel. (2007, March 23). Wikipedia, the free encyclopedia. Retrieved February 25, 2022, from

[https://en.wikipedia.org/wiki/2007\\_Iranian\\_arrest\\_of\\_Royal\\_Navy\\_personnel](https://en.wikipedia.org/wiki/2007_Iranian_arrest_of_Royal_Navy_personnel)

<sup>15</sup> *Vienna Convention on Consular Relations*. United Nations , 2005, [https://legal.un.org/ilc/texts/instruments/english/conventions/9\\_2\\_1963.pdf](https://legal.un.org/ilc/texts/instruments/english/conventions/9_2_1963.pdf).

<sup>16</sup> Press conference by president of Iran. (n.d.). Welcome to the United Nations. [https://www.un.org/press/en/2007/070925\\_Iran.doc.htm](https://www.un.org/press/en/2007/070925_Iran.doc.htm)



with legal action originally but released three days later following diplomatic conversations between then British Foreign Secretary and then Iranian Minister of Foreign Affairs. The weapons and boats of the British help were expropriated and haven't been returned.

Also, as now, the Iranians indicted the British of sinning into Iranian waters, a charge Britain rejected. "The British said those held by the Iranians comprised eight Royal Navy mariners and seven marines". The incident took place a day after Iran launched a week of naval war games along its seacoast, including the Gulf's northern rung which give access to the oil affair of Iraq, Iran and Kuwait. Canvas prices rose further than one percent to a three-month high on the news of the Britons' seizure.



**Figure 5:** Map of Shatt al-Arab<sup>17</sup>

In December 2004, a boarding party of the Royal Australian Navy from the frigate HMAS Adelaide were carrying out the same accreditation in roughly the same area as the British were doing 3 years later. On this occasion, the IRGC made a collective attempt to seize the boarding party when they had just disembarked from the boat they had been searching. On seeing the fast-approaching IRGC gunboats, the Australians re-boarded the vessel they had just searched, aimed their weapons at the approaching Iranians and advised them to stay back. Also, the Iranians withdrew, and the Australians were reportedly lifted off the boat by Adelaide's Seahawk helicopter.

#### **Iranian boats-U.S. Navy encounter**

Iranian boats harass 'U.S. Navy, officeholders say. Iran spokesperson calls event" ordinary, "suggests vessels did not fete each other U.S. will presumably not make formal kick, State Department says. Five Iranian boats made menacing pushes toward U.S. vessels, officers say. Confrontation passed early Sunday in the Strait of Hormuz

<sup>17</sup> <https://www.un.org/Depts/Cartographic/map/profile/iraq.pdf>



Five Iranian Revolutionary Guard boats" harassed and provoked "three U.S. Navy vessels in multinational waters, the U.S. military said, calling the hassle a "significant" battle. The USS Hopper, seen in a file photograph, was one of the vessels burned out by Iranian boats, officers say. An Iranian functionary, still, said it wasn't a serious incident, the state-run news agency IRNA reported. U.S. military officers said the incident passed in the Strait of Hormuz, a narrow shipping channel leading in and out of the Persian Gulf. They said that as the guided-missile destroyer USS Hopper, the guided bullet sport fisherman USS Port Royal and the guided-bullet frigate USS Ingraham were entering the Persian Gulf, five Iranian boats approached them at high speed and swarmed them. The Iranian boats made "threatening" moves toward the U.S. vessels and in one case came within 200 yards of one of them, the U.S. officers said. The U.S. Navy also entered a radio transmission that officers believe came from the Iranian boats. The transmission said, "I'm coming at you. You'll explode in a couple of minutes," the U.S. service officers told CNN. When the U.S. vessels heard that radio transmission, they took up their gun positions and officers were "in the process" of giving the order to fire when the Iranians suddenly turned down, the U.S. officers said. After the radio transmission, one of the Iranian boats dropped white boxes into the water in front of the U.S. vessels, the officers said. It wasn't clear what was in the boxes, the officers said. No shots were fired, and nobody was injured.

Iran patrols the Persian Gulf, U.S. says. "We see it as further evidence that Iran is changeable and remains a threat." Iran's international ministry spokesman downplayed the incident, forecasting it "ordinary," IRNA logged. Mohammad Ali Hosseini said that alike incidents had occurred in the past between Iranian and American vessels, and the issues were decoupled as soon as the boats honored each other, IRNA reported.

### **Iran's Nuclear Program and the US**

The Strait of Hormuz, which is in transnational waters, is near important to the world's oil supplies. The White House prompted Iran to refrain from "such provocative actions that could lead to a dangerous incident in the future," National Security Council spokesperson Gordon Johndroe said. U.S. State Department spokesperson Sean McCormack said the United States presumably would not make a formal complaint to Iran about the incident. McCormack said, "I cannot speak to their rationale, their reasoning, their motivations. "Iran and the United States don't have political relations. Switzerland represents U.S. interests in Tehran, while Pakistan represents Iranian interests in Washington. The U.S. Navy blazoned the same team of nonmilitary vessels that had been searching in the Arabian Sea for a seaman missing for a day from the Hopper. The aftermath of the hunt wasn't directly known. In November the U.S. military reported that Iran's Revolutionary Guard Corps had taken command of Tehran's nonmilitary operations in the Persian Gulf. The United States considers the

Revolutionary Guard to be a major supporter of terrorist exertion. Pressures between Iran and the U.S. have increased over the last few years. The U.S. has enterprises about Iran's nuclear program and has accused Iran of supplying munitions to insurgents in Iraq who target American forces.

At that time, the UN Security Council was discussing the issue of Iran and its nuclear program. With multiple UN resolutions referring to the nuclear program, 2007 was a year that marked this program and Iran as it provoked numerous diplomatic conversations, UN resolutions, and conflicts.

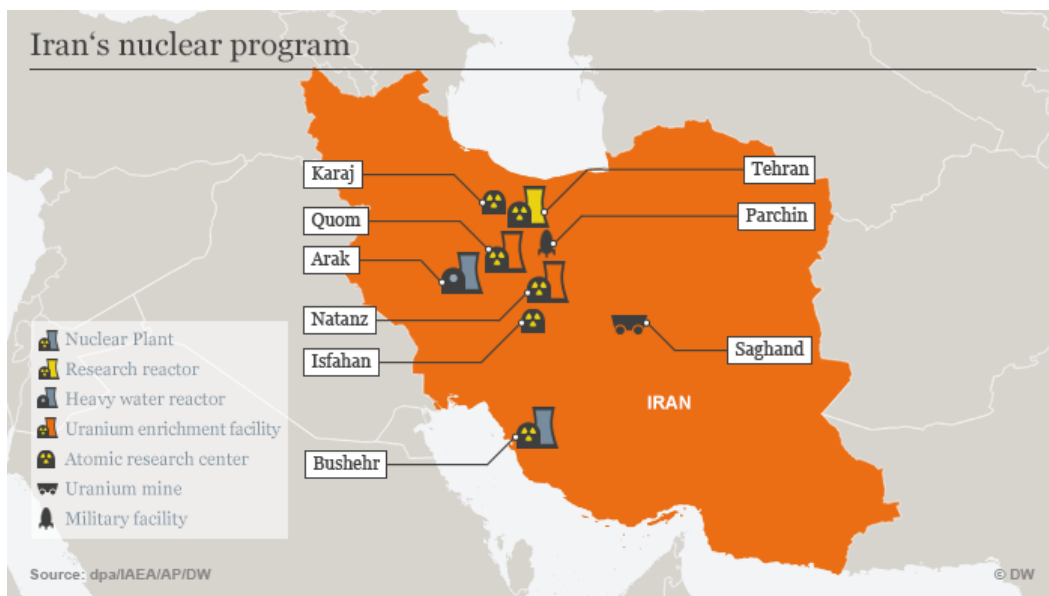


Figure 6: Iran's Nuclear Program<sup>18</sup>

The International Atomic Energy Agency reports (IAEA) has constantly stated it's incapable to conclude that Iran's nuclear program is entirely peaceful. Such a conclusion would typically be drawn only for countries that have an Additional Protocol in force. Iran ceased its accomplishment of the Additional Protocol in 2006, and also desisted all other cooperation with the IAEA beyond what Iran conceded it was needed to give under its safeguard's agreement, after the IAEA Board of Governors decided, in February 2006, to report Iran's safeguards non-compliance to the UN Security Council. The UN Security Council, invoking Chapter VII of the UN Charter, also passed Resolution 1737, which obliged Iran to apply the Additional

<sup>18</sup> Deutsche Welle (www.dw.com). (n.d.). UN nuclear chief heads to Iran for talks. DW.COM. <https://www.dw.com/en/un-nuclear-chief-heads-to-iran-for-talks/a-18724559>

Protocol. Iran responded that its nuclear conditioning was peaceful, and that Security Council involvement was vicious and unlawful.

## MAJOR COUNTRIES/ ORGANIZATIONS INVOLVED

### Iran

Eight crew members of the three boats, sailors and marines who were part of a British team training Iraqi river police, were being held by the Iranian authorities. Iran's director general for Western European affairs, Ibrahim Rahimpour, said that the British boats had made "illegal entry" into Iranian territorial waters and that the personnel "were arrested by border guards for investigation and questioning".<sup>19</sup> Mohammad Ali Hosseini, an Iranian Foreign Ministry spokesman, voiced his country's discontent at what he called "blatant aggression", accusing the United Kingdom of "violating the sovereign boundaries of other states". He further stated that Britain was trying to cover up the incursion.<sup>20</sup> Later on, the Iranian Fars News Agency said the navigational equipment seized on the British boats shows the sailors were aware that they were operating in Iranian waters. On the same day, General Alireza Afshar, a top military official, said the sailors had confessed to illegal entry into Iran's waters. Foreign minister Manouchehr Mottaki said the following day that they were considering charging the British personnel with trespassing into Iranian waters.

Five days later, Iran's ambassador to Russia said, "The legal phase concerning these British soldiers has started and if charges against them are proven, they will be punished". The ambassador did not specify what the legal moves were. The ambassador suggested a diplomatic settlement was still possible "if Britain's government admits its mistake and apologizes to Iran for its naval personnel's trespassing of Iranian territorial waters, the issue can be easily settled." He expressed regret that the British government had raised the issue to an international level instead of trying to resolve the problem through diplomatic channels.<sup>21</sup> Iran's President Mahmoud Ahmadinejad commented on the seizure for the first time on 31 March by calling Britain "arrogant" for failing to apologize for entering Iranian water<sup>22</sup>.

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<sup>19</sup> BBC NEWS | UK | Seized sailors 'taken to Tehran'. (2007, March 24). BBC News. [https://news.bbc.co.uk/2/hi/uk\\_news/6489493.stm](https://news.bbc.co.uk/2/hi/uk_news/6489493.stm)

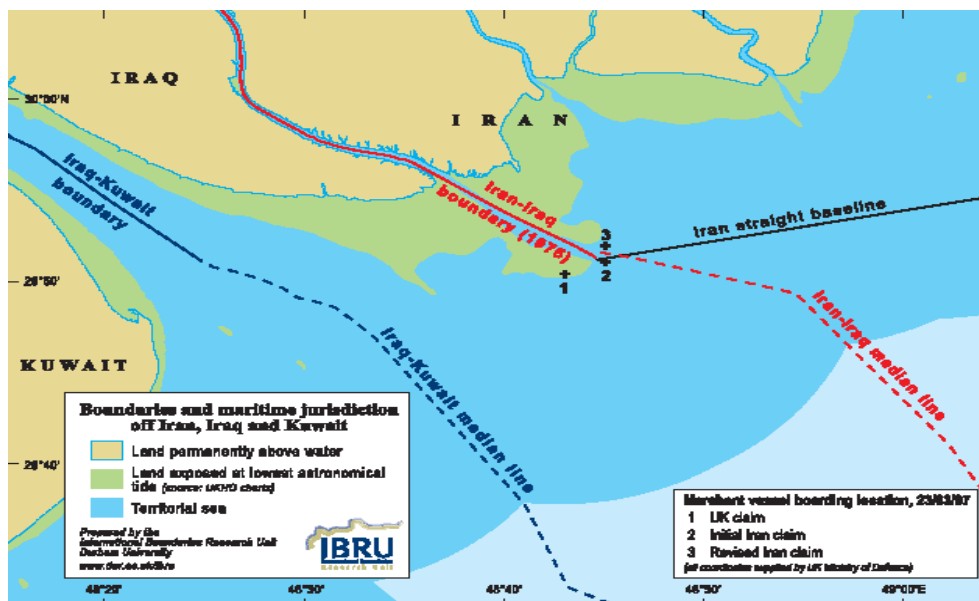
<sup>20</sup> Iran claims U.K. troops admit to illegal entry. (2007, March 24). NBC News. <https://www.nbcnews.com/id/wbna17769296>

<sup>21</sup> Irib Persian news page. (n.d.). Wayback Machine. [https://web.archive.org/web/20070927213953/www.iribnews.ir/Full\\_en.asp?news\\_id=234175&n=34](https://web.archive.org/web/20070927213953/www.iribnews.ir/Full_en.asp?news_id=234175&n=34)

<sup>22</sup> Iranians protest outside British Embassy - CNN.com. (n.d.). CNN International - Breaking News, US News, World News and Video. <https://edition.cnn.com/2007/WORLD/meast/03/31/iran.sailors/index.html>

## United Kingdom

The United Kingdom government stated the mariners were on a routine command of the area which was in agreement with United Nations Security Council Resolution 1723. The Ministry of Defense stated that one of the ships abided data- linked to Cornwall throughout the operation and the GPS system showed them to be located well within the Iraqi area, although no direct evidence for this was given. According to British authorities, this position was afterward verified by an Indian-flagged merchant vessel which, the Ministry of Defense indicated, had dragged east on its anchor. Senior British military officers stated at a press conference on 29 March that there was no doubt where the dividing line between Iraqi and Iranian waters was, despite major controversies between Iran and Iraq over those waters. Still, this was disputed later by the Foreign Affairs Select Committee report into the incident which concluded that "there is evidence to suggest that the map of the Shatt al-Arab waterway provided by the Government was less clear than it ought to have been. The Government was fortunate that it was not in Iran's interests to contest the accuracy of the map."<sup>23</sup>



**Figure 7:** the certain position of the merchant vessel that the British personnel had boarded<sup>24</sup>

<sup>23</sup> *Foreign Policy Aspects of the Detention of Naval Personnel by the Islamic Republic of Iran*. by authority of the House of Commons, 22 July 2007, <https://publications.parliament.uk/pa/cm200607/cmselect/cmfa/880/880.pdf>.

<sup>24</sup> *Sixth Report of Session 2007–08*. by authority of the House of Commons, 7 Jan. 2008, <https://publications.parliament.uk/pa/cm200708/cmselect/cmeuleg/16vi/16vi.pdf>.

According to the British Ministry of Defense, the Iranian government gave in two sets of coordinates for the accident, the first of which was inside Iraqi waters. The Ministry says that upon challenging the set, an alternate set of coordinates was handed giving a position within Iranian waters less than one nautical mile down from the first set. British special forces grounded in Baghdad began planning a contingency rescue effort. In support, Joint Special Operations Command scrambled a Predator drone to help them but the window of opportunity for a rescue mission to take place closed when the internees were moved north to Tehran.

### **Iraq**

On 24 March, Brigadier General Hakim Jassim, Iraqi military captain of the country's territorial waters, gave an interview with Associated Press. He distrusted the British claims, saying "We were informed by Iraqi fishermen after they had returned from sea that there were British gunboats in an area that's out of Iraqi control. We don't know why they were there. "On 25 March, the Iraqi international minister, Hoshiyar Zebari, prompted Iran to release the detained personnel, in a telephone call to his Iranian counterpart. In a statement released, he said that" according to the information available to the Iraqi authorities those soldiers were detained inside Iraqi waters. They were working with the multi-national forces with the approval of the Iraqi government and according to U.N. Security Council resolutions."<sup>25</sup>

### **The United States of America**

After the arrest of the British royal navy personnel, Britain immediately protested the detentions, which come at a time of high tension between the West and Iran. A spokesman for the U.S. Navy, which operates off the Iraqi coast along with British forces, said Iran's Revolutionary Guard naval forces were responsible. Kevin Aandahl of the U.S. Navy's Fifth Fleet said, "the Iranian Revolutionary Guards had radioed a British warship explaining that no harm had come to the 15 Britons and that they were seized because they were in Iranian waters." The British Defense Ministry said the Iranians took custody of the sailors and marines in Iraqi waters. Aandahl said a "very limited exchange of communication" occurred between the Iranian Revolutionary Guards Navy after it had intercepted the Royal Navy service members stating, "that no harm had come to any personnel and that they were being taken to a place of safety." But the information given by the US personnel was not to be trusted by the Iranians as the US-led coalition had formerly drawn a boundary line between Iran and

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<sup>25</sup> Iraq calls on Iran to free British sailors | Reuters.ca. (n.d.). Wayback Machine.  
[https://web.archive.org/web/20070510181129/ca.today.reuters.com/news/newsArticle.aspx?type=topNews&storyID=2007-03-26T102905Z\\_01\\_COL636796\\_RTRIDST\\_0\\_NEWS-IRAN-BITAIN-IRAQ-COL.XML](https://web.archive.org/web/20070510181129/ca.today.reuters.com/news/newsArticle.aspx?type=topNews&storyID=2007-03-26T102905Z_01_COL636796_RTRIDST_0_NEWS-IRAN-BITAIN-IRAQ-COL.XML)

Iraq without the notice of the Iranians, leading to miscommunication and two different ideas of borderline for the British and the Iranian.<sup>26</sup>

### House of Commons' Foreign Affairs Select Committee

The Foreign, Commonwealth Office (FCO) provided a paper on the British Government's handling of the crisis. It said the Government "initially pursued a policy of quiet but robust diplomacy" against Iran, with Lord Triesman meeting or speaking to the Iranian Ambassador in London on an almost daily basis, and sometimes more than once a day. They said that the Government initially kept its "public statements low key to give the Iranians room for manoeuvre." However, when "it became apparent that this strategy was not having the necessary effect on the Iranians," the Government "decided to ratchet up the pressure by going public with the facts and increasing diplomatic activity through third parties and international institutions." This diplomatic pressure was intensified when the then Foreign Secretary announced a "freeze on all other official bilateral business with Iran until this situation is resolved." At a press conference, the then Prime Minister had characterized this approach of international pressure alongside dialogue as a "dual track strategy." He remarked that "it would be utterly naïve to think that our personnel would have been released unless both elements of the strategy had been present." As part of the Government's decision to "ratchet up the pressure," it decided to go to the United Nations Security Council to seek a statement on the crisis. Sir Richard Dalton, the former British Ambassador in Tehran, said that he disagreed with this decision. He remarked that "the pressure that really counted was the pressure in the region, rather than what actually happened in the Security Council." Sir Richard added that the UN route was a "very high-risk strategy," borne out by the fact that "the release of Faye Turner was aborted as a consequence" of this move. The note provided to us by the FCO barely mentioned the statement finally agreed to by the Security Council, but when he appeared before us, Lord Triesman defended the decision: "We needed to explode the myth that our sailors and marines were in Iranian waters for as long as that contention was being made in public in world forums. That meant going to the UN and the EU."<sup>27</sup>

### International Boundary Research Unit (IBRU)

The Algiers Agreement<sup>28</sup>, ratified by both nations in 1976, remains in force. It defined the Iran-Iraq transnational boundary in the Shatt al-Arab, ending at point "R".

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<sup>26</sup> U.K. says 15 sailors detained by Iranian navy. (2007, March 23). NBC News. <https://www.nbcnews.com/id/wbna17752685>

<sup>27</sup> House of Commons - Foreign affairs - Sixth report. (n.d.). Please Wait... | Cloudflare. <https://publications.parliament.uk/pa/cm200607/cmselect/cmfaaff/880/88006.htm>

<sup>28</sup> Algiers peace agreement. (2017, March 17). UNMEE. <https://unmee.unmissions.org/algiers-peace-agreement>

According to analysis by the International Boundary Research Unit (IBRU) at the UK's Durham University, the position handed by the Ministry of Defense for the position of the seizure is 1.7 marine miles southwest of this Point "R" boundary terminus and 1.6 nautical miles south of this multinational boundary line. The university stated, "The point lies on the Iraqi side of ... the agreed land boundary." This was challenged by Iran, whose second set of released co-ordinates were inside its waters. The position handed by the British government wasn't in disputed home according to IBRU, which said the boundary was disputed only beyond Point "R" (to the east and southeast). Attesting this, Richard Schofield, an expert in transnational boundaries at King's College London, stated "Iran and Iraq have never agreed to a boundary of their territorial waters. There's no legal definition of the boundary beyond the Shatt al-Arab." The Algiers Agreement came into effect after being signed by both countries in 1975 and ratified by both countries in 1976. Under international law, one state cannot unilaterally reject a preliminarily ratified treaty, and the treaty had no clause delivering for abrogation by one state only.

### European Union

German Chancellor Angela Merkel, who then was the rotating presidency of the Council of the European Union, fully supported the United Kingdom, giving a speech to the European Parliament saying that "I would also like to use this opportunity of being in this house to tell you that the EU finds it fully unacceptable that 15 British troops have been captured and detained by Iran."<sup>29</sup>

### TIMELINE OF EVENTS

Date	Description of event
21 <sup>st</sup> June 2004	Iranian seizure of Royal Navy personnel in the Shatt al-Arab waterway
24 <sup>th</sup> June 2004	The release of the personnel following diplomatic conversations between then British Foreign Secretary and then Iranian Minister of Foreign Affairs.
December 2004	The IRGC's collective attempt to seize the boarding party of the Royal Australian Navy when they had just disembarked from the boat they had been searching.

<sup>29</sup> G8 summit 2007 Heiligendamm - Speech by chancellor Angela Merkel to the European Parliament. (2009, March 11). Page has moved. [https://www.g-8.de/nn\\_94854/Content/EN/Reden/2007/03/2007-03-28-ep-zwischenbilanz.html](https://www.g-8.de/nn_94854/Content/EN/Reden/2007/03/2007-03-28-ep-zwischenbilanz.html)



February 2006	After the IAEA Board of Governors decision, a report upon Iran's safeguards on-compliance to the UN Security Council was filled
23 <sup>rd</sup> March 2007	Two British boats seized; 15 Royal Navy personnel arrested in the Persian Gulf
24 <sup>th</sup> March 2007	Iraq's military captain of the country's territorial waters gave an interview with Associated Press.
25 <sup>th</sup> March 2007	The Iraqi international minister prompted Iran to release the detained personnel in a telephone call to his Iranian counterpart.
28 <sup>th</sup> March 2007	Footage of some of the fifteen British mariners released by the Iranian government.
29 <sup>th</sup> March 2007	Senior British military officers stated at a press conference that there was no doubt where the dividing line between Iraqi and Iranian waters was, despite major controversies between Iran and Iraq over those waters.
4 April 2007	Iran's President held a press conference to announce the release of the internees as a "gift" to the British people.
5 April 2007	The British Royal Navy's personnel are released
December 2007	The beginning of the US-Iran naval dispute

## RELEVANT UN RESOLUTIONS, TREATIES, AND EVENTS

### Resolution 1441 (2002) / adopted by the Security Council at its 4644th meeting, on 8 November 2002

The Resolution 1441 was voted in 2002. The United Nations have decided to afford Iraq, by this resolution, a final chance to comply with its demilitarization obligations under relevant judgments of the Council; and consequently decides to set up an enhanced examination regime with the aim of bringing to full and verified completion the demilitarization process established by resolution 687 (1991) and subsequent resolutions of the Council; decides that, in order to begin to comply with its demilitarization obligations, in addition to submitting the needed biannual declarations, the Government of Iraq shall give to UNMOVIC, the IAEA, and the Council, presently accurate, full, and complete declaration of all aspects of its programs to develop chemical, biological, and nuclear weapons, ballistic missiles, and

other delivery systems. This Resolution was an attempt of disarmament of the Persian Gulf and Iraq.<sup>30</sup>

**Resolution 1696 (2006) / adopted by the Security Council at its 5500th meeting, on 31 July 2006**

The Resolution 1696 was adopted on the 31<sup>st</sup> of July 2006. The United Nations, then, called upon Iran without farther detention to take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which demands in this environment, that Iran shall suspend all enrichment- related and reclaiming conditioning, including exploration and development, to be verified by the IAEA and calls upon all States, in agreement with their national legal authorities and legislation and accordant with transnational law, to exercise vigilance and prevent the transfer of any items, materials, goods and technology that could contribute to Iran's enrichment- related and reclaiming exercise and ballistic missile, expresses its intention, in the event that Iran has not by that date complied with this resolution, also to adopt applicable measures under Article 41 of Chapter VII of the Charter of the UN to convert Iran to conform with this resolution and the conditions of the IAEA.<sup>31</sup> That was an attempt to resolve the issue that had then occurred with Iran previously due to its nuclear program and intentions on using the weapons. Later on, on 23 December 2006, as similar act happened. The Resolution 1737 was adopted, which further imposed sanctions after Iran refused to suspend its actions and again require Iran to cooperate with IAEA.<sup>32</sup>

**Vienna Convention, on 22 April 1963 by the United Nations Conference on Consular Relations**

The Article 36 of the Vienna Convention on Consular Relations is an article that states some main rules that need to be followed when there is an incident with officers that are detained in another country. Namely: (a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State; (b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person

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<sup>30</sup> Resolution 1441 (2002) United Nations Digital Library System.

<https://digitallibrary.un.org/record/478123?ln=en>

<sup>31</sup> Resolution 1696 (31 July 2006) demanded that Iran suspend its uranium enrichment activities, United Nations Digital Library System. Resolution 1696 (2006) / (un.org)

<sup>32</sup> United Nations Digital Library System. <https://digitallibrary.un.org/record/589783?ln=en>

arrested, in prison, custody or detention shall be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this subparagraph; (c) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgement.<sup>33</sup> These rules were not adhered to by the Iranian forces and so the Iranian Navy were to face consequences.

## PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

During the incident, there were different parties acting to rush the release of the 15 royal navy personnel with the majority of them making a difference. Apart from the attempt during the United Nations Security Council's call upon the incident by the British which was aiming to obtain a stronger statement but were defeated by opposition on the council, led by Russia, there were other Organizations that tried to help, too.

### European Union

First and foremost, the European Union asked for the immediate release of 15 British navy personnel detained by Iran in the Arabic Gulf, EU president Germany said. German Foreign Minister Frank-Walter Steinmeier told reporters that Berlin had obtained official confirmation that the troops were under arrest for an alleged border violation. The German EU presidency would issue a statement later on "demanding the immediate release of the soldiers," he said.<sup>34</sup>

### British Ministry of Defense

Secondly, the British Ministry of Defense made a move that was not as successful as the rest. A secret report on the seizure of 15 Royal Navy sailors and marines by Iranian forces has uncovered confused communications and poor judgment by senior military commanders. The conclusions are part of an internal Ministry of Defense inquiry into the circumstances surrounding the capture of the sailors by Iranian revolutionary guards in the northern Gulf in March. The humiliation was compounded by the navy's decision, accepted by the MoD, to allow the sailors and marines to sell their stories to the media. The aftermath of the Ministry's decision is leading Seaman Faye Turney, who was captured, sold her story to ITN and the Sun, Royal Navy Operator Maintainer Arthur Batchelor was ridiculed for saying that his iPod had been taken away, Navy sailor Nathan Summers was shown on Iranian TV saying the British had "trespassed."

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<sup>33</sup> Article 36 of the Vienna Convention on Consular Relations, [https://legal.un.org/ilc/texts/instruments/english/conventions/9\\_2\\_1963.pdf](https://legal.un.org/ilc/texts/instruments/english/conventions/9_2_1963.pdf)

<sup>34</sup> Staff, R. (2007, March 24). EU to demand release of UK sailors. U.S. <https://www.reuters.com/article/uk-iraq-iran-eu-idUSL2422968120070324>

But the tape showed signs of editing, and Royal Marine Captain Chris Air was shown on Iranian TV saying they were apparently seized in Iranian waters.<sup>35</sup>

## **POSSIBLE SOLUTIONS**

In a situation like this one, where the lives of people are in danger and any moves without an outcome would just be a waste of time and power, all parties need to act responsibly and quickly. The government of the countries involved are the ones with the main role and the ones that need to collect their forces and act methodically. When innocent personnel are involved, the method of an attack by any means of weapons or anything that could cause potential irreversible damage is not an approach to be considered.

### **Raising awareness**

This incident is one that needs to be known to as many people as possible so as to have a great amount of common citizen react to such violations of laws and human rights. Raising awareness by means such as publishing articles and airing on International Television videos of the detained personnel or from the location of the incident could have a great impact in the way that the Iranian forces would react upon the release of the 15 marines.

### **Diplomatic missions**

Furthermore, as an armed attack on the base in Iran that the personnel are being held hostages is not in order, diplomatic operations are the way. Diplomatic missions which are supported by the government of the UK and/or by the UN could make the procedures run faster and simultaneously ensure the safety and well-being of the marines.

### **Accountability**

Finally, the UN and all member countries should hold the government and navy of Iran accountable for their actions. Such actions bring innocent personnel and common people in danger and further violate the International Law disturbing the peace and safety under which international missions are being held.

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<sup>35</sup> The errors that let Iran seize 15 crew members. (2017, September 20). the Guardian.  
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