Déjà vu All Over Again: What Can MOCs Learn from the 2016 IRGCN Seizure of US Patrol Craft?

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**Introduction**

The January 2016 Islamic Revolutionary Guard Corps Navy (IRGCN) seizure of two US patrol boats inside the territorial sea of Farsi Island was strikingly reminiscent of their seizure of two British rigid hull inflatable boats (RHIBs) in the North Arabian Gulf in 2007. Nine years ago both the US and British navies paused to consider the lessons that could be learned from that unfortunate incident. Recently, the comprehensive and well documented US Navy investigation into the 2016 incident was released to the public as were the first comments made by the senior officer in charge of the two US riverine craft. This article suggests that once again the US Navy should take the time to carefully consider what lessons can be learned from this preventable incident and in particular, poses three recommendations that pertain to increasing the effectiveness of all Navy Maritime Operations Center (MOC) staffs that have forces operating in the vicinity of potentially hostile actors.

**March 2007- IRGCN Captures Two British RHIBs**

On March 23, 2007 the IRGCN captured 15 British Naval personnel engaged in routine UNSCR-authorized maritime interdiction operations in the vicinity of the Shatt al Arab. The British boarding team from the HMS CORNWALL had just completed a successful inspection of a merchant ship when their two rigid hull inflatable boats (RHIBs) were surrounded by IRGCN patrol boats, accused of having illegally entered Iranian waters, and escorted without opposition into an Iranian port. According to an account provided by Royal Marine Captain Chris Air:

"I explained we were conducting a routine operation, as allowed under a U.N. mandate, but when we tried to leave, they prevented us by blocking us in. Some of the Iranian sailors were becoming deliberately aggressive and unstable. They rammed our boats and trained their heavy machine guns, RPGs [rocket-propelled grenades] and weapons on us. Another six boats were closing in on us. We realized that our efforts to reason with these people were not making any headway, nor were we able to calm some of the individuals down. It was at this point that we..."
realized that had we resisted, there would have been a major fight, one which we could not have won and with consequences that would have had major strategic impacts. Our team had seconds to make a decision, and we believe we made the right decision. We made a conscious decision to not engage the Iranians and do as they asked. They boarded our boats, removed our weapons and steered the boats towards the Iranian shore.”

Later, every sailor and marine confessed to illegally entering Iranian waters (despite the fact that their own navigation equipment placed them in international waters) and some were shown on Iranian television making confessions and apologizing for illegally trespassing into Iranian territorial seas. Only after the British government promised not to intrude into Iranian territorial seas in the future, the hostages were released on April 5th as then-President Ahmadinejad declared “that the government of Iran -- in full power to place on trial the military people – (gives) amnesty and pardon to these 15 people and I announce their freedom and their return to the people of Britain.”

To the consternation of American military officers and many in the press, senior British military officials supported the actions of the sailors and marines. The First Sea Lord, Sir Jonathan Band observed on BBC radio, "They appear to have played it by the rules. They don't appear to have put themselves into danger, others into danger, and they don't appear to have given anything away. And indeed I think, at the end, they were a credit to us." "This incident was a most extraordinary act conducted in those waters. I think our people have reacted extremely well in very difficult circumstances." Chief of Defence Staff, Air Chief Marshal Sir Jock Stirrup, said: "They did exactly as they should have done from start to finish... and we're extremely proud of them.”

The reaction from American naval officers was far different. U.S. Navy Lt. Cmdr. Erik Horner, executive officer of the USS UNDERWOOD, which shared patrol duty in the Shatt al Arab with the HMS CORNWALL, expressed surprise that the British let their sailors and marines be taken without a fight. "The unique US Navy rules of engagement say we not only have a right to self-defense but also an obligation to self-defense. They [the British] had every right in my mind and every justification to defend themselves rather than allow themselves to be taken. Our reaction was, 'Why didn't your guys defend themselves?'” Then-Chief of Naval Operations, ADM Mike Mullen was equally as blunt, stating “my expectation is that American sailors are never seized in
a situation like that. Individuals and units are guided by the right of self-defense; they don’t have to ask permission to take action to protect themselves. And they go into operations like this, and missions like this, with that understanding.”

In the wake of the 2007 incident I gave a brief to several naval officers and academics at the US Naval War College in Newport, Rhode Island. Two things remain etched in my memory. First, not one officer in the room, active duty or retired, believed that this type of incident would ever have taken place if it involved a US ship and crew. Second, a key lesson learned was that if you send small patrol boats far away from land or a mother ship you ought to maintain tactical and operational “over watch” to ensure their protection.

January 2016- IRGCN Captures US Patrol Boats

Fast-forward to January 2016. Two US riverine patrol craft and all 10 crew aboard were surrounded and seized by IRGCN vessels after entering Iranian territorial seas near Farsi Island due to a navigational error. Only after filming the crew kneeling on deck with their hands on their heads, and the officer in charge apologizing, was the crew released some 16 hours later after a flurry of diplomacy led by Secretary of State John Kerry. Recent reports suggest that multiple personnel have been reprimanded for their role in the incident and, unlike British senior leadership in the wake of the 2007 HMS CORNWALL incident, no senior US Navy leaders have publicly suggested that the patrol boat crew acted in accordance with US Rules of Engagement (ROE), Navy regulations, the Code of Conduct, or any other applicable DoD Instruction.

So the obvious question is; How could this event take place only nine years removed from the British RHIB incident, and after the then-Secretary of Defense ordered the Chairman of the Joint Chiefs of Staff, “through the commander of the Central Command and others...to examine our procedures and make sure that...our sailors are properly protected against any similar kind of activity”?  

2007/2016- Striking Similarities
Based on the recently released JAGMAN investigation and published comments from LT David Nartker, the officer in charge of the two US patrol boats, the parallels between what happened to the British in 2009 and what took place in January 2016 are striking and as such ought to give significant pause to senior US military leadership as the US Navy continues to operate in close proximity to not only the IRGCN but Chinese, Russian, and North Korean forces. As recounted in the Sept 12, 2016 issue of Foreign Policy on-line magazine LT Nartker “described a harrowing confrontation near Farsi Island as two Iranian vessels equipped with machine guns encircled his riverine boats.”

He said he had only seconds to decide whether to order his crew to open fire or to look for a way out of the showdown. After his boats tried and failed to evade the two Iranian vessels closing in around them, Nartker considered the possibility of aiming his M4 assault rifle at a Iranian gunner only about 10 feet away...“I was thinking, ‘I am not going to kill this guy right now over a bullshit navigation mistake,’” he said. “There would be a dead Iranian in Iranian waters. And there was no way to claim it was international waters.” There also was the threat of more Iranian boats coming after them, and the possibility of an extended firefight with unforeseen consequences, according to Nartker. “I was not going to ignite a conflict over this,” he said, adding, “And I don’t have the authority to start a war.”

The Foreign Policy article continues...

Nartker said his approach reflected how fellow officers have operated in the region for years, exercising restraint in the face of often provocative moves by Iranian speed boats in the Persian Gulf’s crowded sea lanes. Sailors deploying to the region are ordered to memorize vaguely worded rules of engagement that refer to every service member’s inherent right to self-defense. But there is also a common understanding that tense encounters with Iranian boats are to be tolerated without resorting to firing weapons, Nartker said. “You know more or less you can’t shoot at Iranians. Only if they shoot at us, we can shoot back,” Nartker said.

A Navy officer who has deployed on ships in the Gulf agreed. “Decisions to withhold the use of force are a common occurrence in the area,” said the officer, who spoke on the condition of anonymity because he did not want to jeopardize his standing in the service. “There is no appetite for creating an international incident, let alone getting people killed because reckless Iranian commanders want to play chicken with the U.S. Navy.”

Recommendations for MOCs Going Forward
There are many critical lessons that can be derived from this event and should be discussed in our school houses and every echelon in the chain of command. The thorough investigation (which can be found at https://news.usni.org/2016/06/30/document-summary-u-s-navy-investigation-farsi-island-incident) and subsequent senior officer endorsements are “must-read” material for every naval officer and make numerous excellent observations and recommendations, most of which are focused at the CTF level of the chain of command and below. The purpose of this article is to outline three recommendations that pertain to increasing the effectiveness of all Navy Maritime Operations Center (MOC) staffs that employ forces in complex security environments.

First, numbered Fleet MOCs should consider reinvigorating their focus on “operational protection,” in particular the protection of patrol boats and other small craft (to include UAVs and UUVs) that operate in close proximity to a potential adversary force. The same holds true for ships and aircraft that operate or transit “alone” in close proximity to a potential adversary force and/or in sensitive areas. Second, this incident should stimulate a thorough review of all things associated with using force in self-defense to ensure a clarification of expectations up and down the chain of command as to when US forces are expected to use force. Third, our MOCs must ensure that their Command Centers have the required processes, procedures, and information to provide “operational over watch” of all assigned tactical forces, in particular those operating in close proximity to potential threat forces.

Consider Forming or Re-Invigorating a Protection Working Group

In an effort to ensure the protection of US personnel and tactical assets, Fleet MOCs should evaluate the necessity for, and composition of, a “Protection Working Group” as described in NTTP 3-32.1. The functions of such a group are to: 1) Serve as the commander’s primary body for coordinating protection issues, 2) Provide detailed plans and staff estimates to planning teams to assist with the development of plans and orders, 3) Determine risks to the mission during planning, 3) Recommend allocation of resources to mitigate risks, 5) Monitor and disseminate protection information throughout the command, and 6) Conduct protection vulnerability assessments to assist subordinate commands with the development of force
protection plans. An effective Protection Working Group ensures that a group of subject matter experts from across the staff are laser focused on the protection of assigned forces. The Protection Working Group should work with commands up, down, and across as required to set the operational conditions for the protection of tactical forces. Key outputs of the working group include: 1) protection staff estimates, 2) force protection plans, and 3) protection matrices to assist the staff, and subordinate staffs, with risk and threat management.

*Conduct a Detailed Review of Self-Defense ROE*

In conjunction with higher headquarters and subordinate commands, US MOCs would most assuredly benefit from a thorough and detailed review of the use of force in self-defense. There is no more important aspect of effective maritime command and control during Phase 0-II operations than ensuring that all tactical forces assigned to the Fleet Commander have the same clear and unambiguous understanding as to when they are expected to use force in self-defense.

Fleet Commanders are expected to possess an in-depth knowledge of potential adversaries in their respective areas of responsibility; their tactical capabilities and limitations as well as operational and strategic willingness to actually engage in behavior that might be considered hostile. It is also expected that Fleet Commanders will be in synch with the expectations regarding the use of force in self-defense as desired by the President and Secretary of Defense via the Chairman of the Joint Chiefs of Staff and their respective Geographic Combatant Commanders. As then-Secretary of Defense Gates noted after the 2007 British RHIB incident, it is important that our most senior military and civilian leadership engage as required to ensure common expectations on using force in self-defense. Given the recent proclivity of IRGCN, Chinese, and Russian tactical assets to engage in increasingly risky, unprofessional, and potentially hostile behavior, combined with the upcoming executive branch transition, the time may be ripe for Fleet Commanders and other senior military and civilian leadership to re-visit strategic assumptions concerning the anticipated effects of US forces using force in self-defense and verify that all echelons of the chain of command are aligned. Specifically, senior military and operational leadership need to reconsider whether or not using force in self-defense
against an IRGCN patrol boat, a Russian fighter aircraft, or a PRC fishing vessel engaging in hostile behavior really would lead to full scare war. I would argue the recent Turkish shoot down of a Russian aircraft in its airspace suggests that not every military incident where force is used in self-defense automatically must lead to all-out war.

It is the staff’s responsibility to assist the Commander in formulating his or her intent with respect to employing force in self-defense and to ensure that intent is effectively communicated to all assigned forces. There are several means to communicate commander’s intent with respect to using force in self-defense and all should be leveraged with a frequency dictated by the circumstances. In addition to “Personal For” e-mails, Daily Intentions Messages, ROE briefs, ROE messages, and kneeboard cards other means might include: 1) the addition of various types of encounters with potential adversary forces during Phase 0 into pre-deployment exercises, 2) Commander-led, self-defense focused, “in-CHOP” briefs with key subordinate personnel, 3) requiring that mission briefs from subordinates include an ROE section, and 4) routine table top exercises with key subordinate units that include Fleet Commander personal involvement. Having participated in hundreds of ROE briefs in my lifetime, the most effective ROE briefing I’ve ever been part of included then-CAPT William Gortney’s personal appearance in every Air Wing 7 ready room prior to flying combat missions in support of Operation Enduring Freedom. After the routine JAG ROE briefing, CAG Gortney asked each ready room multiple “what if” questions and peppered aviators of all ranks with likely and possible scenarios that might require the use of force in defense of US personnel on the ground or other aircraft. The Commander’s personal involvement in this most critical aspect of command and control left a huge impression on the air wing and dispelled any ambiguity that might have existed about the ROE and the expectations regarding the use force in self-defense.

Ensure Fleet Command Centers Are Focused on “Operational Over Watch”

One of the lessons learned from the 2007 HMS CORNWALL incident was that a helicopter “tactical over watch” likely would have provided an adequate deterrent to dissuade the IRGCN from taking any overtly aggressive action against the British RHIBs. Additionally, the HMS
CORNWALL could have taken more proactive measures to remain in contact with its sailors so far away from the mother ship. The presence of manned aircraft in the vicinity of US UAVs or helicopters escorting ships during straits transits has also proven an effective deterrent to aggressive behavior. Much like tactical forces must focus on their tactical over watch plans, so too should MOCs focus on their “operational over watch” responsibilities.

Going forward, it is clear that the IRGCN has demonstrated both a capability and willingness to take aggressive action against “small craft” that stray into Iranian claimed territorial seas and airspace as well as larger ships transiting the Strait of Hormuz. Similarly, Chinese navy, coast guard, and fishing vessels, as well as military aircraft, have indicated a capability, and at times a willingness, to interfere with routine US naval operations in its “claimed” waters and airspace. Most recently, Russian aircraft have unprofessionally maneuvered dangerously close to US aircraft on patrol and Houthi rebels have fired surface to surface missiles at US naval vessels operating in the Red Sea.

It would seem prudent that if and when US forces are expected to operate in the vicinity of potential hostile forces that the Fleet Command Center would: 1) know in advance general details of any mission where there might be a risk of operating in close proximity of a potential adversary’s claimed territorial seas or airspace, 2) be aware of the “tactical over watch” protection plan developed by the subordinate task force, preferably in conformance with the MOC Protection Working Group guidance, 3) have the ability to monitor the US asset involved in this “higher risk” mission, and 4) have the ability to rapidly communicate with the task force that has tactical command and control responsibilities over the unit in question. Similarly, there should be adequate and focused situational awareness on the watch floor regarding any potential adversaries that might engage in aggressive behavior as well as an unambiguous understanding of commander’s intent regarding a US response. To the extent that the Command Center can leverage Commander’s Critical Information Requirements to ensure this focused situational awareness it should consider doing so. A basic tenant of US naval operations is centralized command and decentralized control. I am not proposing that MOCs micro-manage subordinate commands and units. Rather, I’m suggesting that MOCs must
remain hyper-focused on their centralized command responsibilities during Phase O, higher risk operations, which include providing the “operational over watch” required to set the conditions for tactical success.

**Conclusion**

Incidents like the 1968 North Korean seizure of the USS PUEBLO, the 2001 Chinese detention of a US EP-3 and its crew, and the 2016 IRGCN seizure of US patrol boats have the propensity to place the US in a strategic quandary with few good outcomes. In the face of increasingly aggressive behavior by IRGCN, PRC, Russian, and Houthi forces it would be wise for every MOC to pause and consider what, if anything, the commander and staff can or should do to ensure the protection of assigned forces operating in the vicinity of potentially hostile actors. This should include a candid discussion up, down, and across the chain of command about when US forces are expected to use force in self-defense.

To that end, perhaps the words of Admiral Sir Alan West, British First Sea Lord might resonate. Admiral West was First Sea Lord in 2004 when British patrol boats were seized by the Iranians operating in the Shat al Arab, and was asked for his thoughts after the IRGCN again seized British boats in 2007. When asked about ROE and using force in self-defense he explained:

“The rules are very much de-escalatory, because we don’t want wars starting. The reason we are there is to be a force for good, to make the whole area safe, to look after the Iraqi big oil platforms and also to stop smuggling and terrorism there. So we try to downplay things. Rather than roaring into action and sinking everything in sight we try to step back and that, of course, is why our chaps were effectively able to be captured and taken away. If we find this is going to be a standard practice we need to think very carefully about what rules of engagement we want and how we operate. One can’t allow as a standard practice nations to capture a nation’s servicemen. That is clearly wrong.”

I would suggest that it is equally as wrong, and potentially destabilizing, to allow other nation’s ships, aircraft, and fishing vessels to routinely harass US tactical assets operating in accordance with international law. Allowing such behavior only serves to further embolden potential adversaries (e.g. the Iranian backed Houthi rebels) and sends mixed signals to regional
partners, allies, and neutrals about the ability and willingness of the US to enforce international law, norms, rules, and behaviors. To be sure, our US Navy tactical assets don’t make foreign policy. Rather, they carry out the will of civilian leadership under the command and control of operational level of war commanders. I’m not advocating the reckless use of force in self-defense in situations where hostile intent does not exist. But given the strategic situation, in particular with respect to Iran, China, Russia, and North Korea, I would argue that it is prudent and reasonable to re-evaluate if and when US Naval forces are expected to use force in self-defense in response to threats that unlawfully interfere with routine missions in what are becoming increasingly sensitive areas.  

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8 Id.


10 Id.
11 Id.

12 Id.


15 An unclassified provision of the Chairman of the Joint Chiefs of Staff Instruction (CJCSI 3121.01B) defines hostile intent as “the threat of the imminent use of force against...US forces...It also includes the threat of force to preclude or impede the mission and/or duties of US forces...”