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STRIKING FIRST...MINE WARFARE GOES ON THE OFFENSIVE

by

T. Michael Cashman  
Commander, USN

A paper submitted to the faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.

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## Abstract

### **STRIKING FIRST...MINE WARFARE GOES ON THE OFFENSIVE**

The indiscriminate laying of sea mines in international waters is an act of war waged by terrorist groups and non-state actors. If the United States is going to successfully counter this act of overt aggression and be successful in future conflicts which involve the illegal use of mines, it must deter the belligerent through political, diplomatic, and if necessary, physical force.

History is replete with examples of the effective use of sea mines to deter, alter or counter enemy forces. In today's environment, mines have been used more as an act of terror than a legal weapon of war. Historically, the U.S. Navy has shown a reluctance to adequately fund and appreciate the value of an aggressive counter-mine force. As a result, U.S. and coalition forces have been needlessly subjected to higher risks, delayed or altered battle plans and operationally limited in their course of action.

Once mines are placed in the water the belligerents have gained the strategic, operational and tactical upper hand. From a time, space and force standpoint, the combination of U.S. mine countermeasures and allied forces is marginally sufficient to counter this threat and enable the naval commander the ability to effectively "control the sea." This should be the siren call to all naval commanders! Unless the United States leads the way in treating the indiscriminate laying of mines in international waters as an act of war, the United States and its allies will not be able to project forces ashore or control the seas without encountering considerable risks. The time is now to set the stage for new international laws regarding mine warfare, redefine rules of engagement, break down inter-service politics, educate the media, and build coalition support. The U.S. needs to muster the political will to *strike first* or suffer the consequences from a military and economic standpoint.

# STRIKING FIRST...MINE WARFARE GOES ON THE OFFENSIVE

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## I. The Mine Warfare Dilemma

“When you can’t go where you want to, when you want to, you haven’t got command of the sea. And command of the sea is a rock-bottom foundation of all our war plans. We’ve been plenty submarine-conscious and air-conscious. Now we’re going to start getting mine-conscious – beginning last week.”<sup>1</sup>

If the United States expects to control the sea and project forces ashore in support of naval operations it needs to attack mine warfare at the source...the “illegal” minelayer. Historically, mines have been used to gain superiority from a strategic, operational and tactical level. At the strategic level, mining campaigns have a long-term capability to deny adversaries free access to, or use of sea areas considered vital to the prosecution of their war effort or economic viability. Operationally, mines can be employed to restrict enemy maneuver or enhance friendly maneuver options. Tactically, mines can be employed to support military objectives that are limited in time and space. Mines can stall or deter a force thereby gaining valuable time or restrict the area of operations, which may give the initiator the advantage from a maneuver standpoint.

Mines have been known for their ability to instill fear in an opponent simply because of the perception of the “unknown.” The fear created by the detonation or sighting of a single mine often generates a psychological and inflexible reaction. The physical and psychological impact of minefields, regardless of the actual number of mines or their sophistication, tends to be viewed as a serious danger and often results in reluctance on the part of naval combatants and merchant vessels to challenge them.

### *a. When Will the U.S. Learn?*

The United States Navy has had a long history of failing to provide for an adequate capability in naval mine countermeasures (MCM). History is full of examples from as far back as the Crimean War when the Russians first employed mines as a force multiplier. Mines have decisively altered the outcomes of naval engagements in every war starting with the Russo-Japanese War. Nevertheless, the lessons learned by European navies have

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<sup>1</sup> Cagle, Malcolm W., and Frank A. Mason, “Wonsan: The Battle of the Mines.” p. 142.

proven to be strikingly different from those learned by the U.S. Navy. Most recently, Desert Storm displayed the devastating effects and show-altering implications naval mines pose to the Naval Commander. Desert Storm provided the U.S. with the shocking effect that a couple of cheap and primitive mines could have on the entire fleet from a psychological standpoint as well as a strategic-operational standpoint. The raid to Faylaka Island, and subsequent amphibious assault to Kuwait, were eventually cancelled by USNAVCENT because the risk of mines was considered too high. On 19 February 1991, a \$1500 contact mine of the World War I vintage blew a 16-by-25 foot hole in the *USS Tripoli's* hull, and a \$20,000 Italian-made influence mine almost sank the *USS Princeton*. The events of Desert Storm reemphasized the U.S. Navy's inadequate regard for the destructive capabilities of sea mines, and its failure to fund an adequate MCM capability. The United States falls behind the European navies when it comes to the value it places on maintaining a capable MCM force. MCM ships comprise 33 percent and 24 percent of total British and French surface combatants as compared to 4 percent of U.S. surface combatants. Furthermore, MCM funding accounted for only one half of one percent of the U.S. Navy's total budget in 1993 immediately after Desert Storm.<sup>2</sup>

### ***b. Sea Control***

Command of the sea, or the more widely accepted term "sea control," more accurately describes the U.S. Naval objective of being able to go where they want, when they want, and to conduct operations with a high degree of freedom in a maritime area, for a limited time. The Navy's objectives are two-fold when it comes to "sea control": first, to conduct operations or ensure that U.S. Forces can carry out their mission without significant interference by an opponent, and second, to ensure that freedom of navigation and the Law of the Sea is not hindered.

### ***c. International Law Concerning Mine Warfare***

Naval mines are lawful weapons but their potential for indiscriminate destruction has resulted in a variety of measures designed to regulate the conditions and location under which these weapons may be used.<sup>3</sup>

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<sup>2</sup> Jenkins, Harry JR, MGEN (Ret), "Mine Boggling," *Navy Times*, No. 38, 28 June 1993, p. 14.

<sup>3</sup> Lluy, Paul A., *Mine Warfare: An old threat Presents new challenges for NATO'S Post-Cold War Navies*, Monterey, Ca, December 1995, p. 63.

The extensive use of naval mines by both sides in the Russo-Japanese War of 1904-5 inflicted great damage on innocent shipping both during and long after the conflict, and led to The Hague Convention No. VIII of 1907. Now there are several principal laws governing maritime mine warfare which include: Article 51 of the UN Charter, the 1907 Hague Conventions Relative to Laying of Automatic Submarine Mines (Hague VIII), the 1971 Seabed Arms Control Treaty, Protocol II to the 1980 Conventional Weapons Treaty, and the 1982 Law of the Sea Convention (UNCLOS III). Each treaty contains specific provisions associated with the employment of mines in peacetime and in war, but in reality seldom is the law adhered to, especially by non-state actors, whom the law is intended to regulate. The confusing restrictions of these laws have rendered them somewhat obsolete and prevent the United Nations from enforcing them with any type of consistency. The purpose of these regulations is to ensure, to the extent practicable, the safety of innocent shipping, and the right to defend one's own territorial waters.

In recent years, the proliferation of mines has made them a weapon easily acquirable for any nation with even the most modest financial resources. Mines have always been the poor man's weapon of choice, but now with increases in sophistication and technological advances, they have become a weapon with national-strategic implications.

## **II. Why the U.S. Needs to Get "Tough" on Mine Warfare**

First, the U.S. Navy is presently not capable of "controlling the seas." Mine warfare is now and has always been a critical vulnerability of the United States Navy and one that has been pushed to the back burner. U.S. political and military leaders' reluctance to view mine warfare as an essential ingredient to success in war has put the United States in a position of inadequacy as compared to our allies. Critics from the Gulf War state, "mine warfare was a technical problem for which the solution was to call in the experts."<sup>4</sup> As the Navy attempts to work mine warfare into the "mainstream" of the battle group through the implementation of organic or "in-stride" MCM, it runs the risk of relying too much on technological advances and not enough on strategic

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<sup>4</sup> Pokrant, Marvin, "Desert Storm at Sea, What the Navy really Did," 1999, The CAN Corporation.

engagement objectives. The ongoing effort to mainstream organic MCM capabilities will significantly enhance U.S. and allied technological MCM efforts, but may prove to be too little too late. Over the past few years the mine warfare community has received a substantial increase in funding and is in the process of revamping MCM from a war-fighting standpoint, but the focus is on technology and reorganization, and not where it should be which is at the strategic-operational engagement level...keeping mines from being laid in the first place.

Mines are perhaps the most attractive weapons available to any country determined to enforce “sea denial” and keep U.S. and allied forces from achieving sea control and projecting power ashore. The United States’ ability to deal with this “show-stopping” threat is limited by technology as well as political, coalition and legal constraints. The technological limitations are being studied, funded and procured as they have been for the past several decades, but far too slowly. Our forces today still have a very limited capability to deal with mines, and they continue to be a genuine asymmetric threat in the littorals. The number of countries with mines, mining assets, mine manufacturing capabilities, and the intention to export mines has grown dramatically in the past decade.<sup>5</sup> More than 50 countries currently possess mines and mining capabilities, a 40 percent increase since 1986. Mine warfare has made some technological strides as well as cultural strides from within the naval service...but we are not where we should be yet. To attempt to meet future requirements for high-tempo operations as part of a joint war-fighting campaign, the naval services are currently undergoing a transformation in mine warfare. This initiative is based on the development of new organic mine countermeasures systems that will allow naval forces to remain in a mined environment, without an operational pause, to await the arrival of dedicated MCM forces. The expansion of MCM to enable such “in-stride” operations allows the MCM campaign to begin on Day One of the operation. Although this philosophy is to be applauded for its innovation and most importantly its acknowledgement of the mine warfare dilemma, it is but another “small” band-aid on a operational-tactical inadequacy which has historically received little attention and even less financial support.

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The Navy-Marine Corps post-Cold War strategic concept of *Forward... From The Sea and Operational Maneuver From The Sea* define the primary objective of joint expeditionary operations as providing unencumbered Joint Force maneuver within the littoral area of operations – as well as the open ocean.<sup>6</sup>

The U.S. Naval Mine Warfare Plan states “there is no simple silver bullet to counter the mine threat.”<sup>7</sup> Although, there may not be a silver bullet but there is a better way. It requires the close scrutiny and clarifying of International laws associated with maritime mining to include Article 51 of the UN Charter and The Hague Convention of 1907 (VIII). Additionally, U.S. political leaders and military commanders need to redefine the definition of “hostile intent” as it pertains to mine warfare, and construct Rules of Engagement (ROE) that allow a Naval Commander the discretion and flexibility to enforce these regulations, and view those who violate these rules as waging war on U.S. and coalition forces.

### **III. Legal Concerns**

There are numerous scenarios, which dictate the conditions necessary to legally place naval mines in territorial waters and even beyond territorial waters, but the typical independent state actor normally does not follow these prescribed restrictions. For example, naval mines may be considered lawfully employed if international notification of the location has been made, mines are not placed in neutral waters, anchored mines become harmless if they break free from their moorings, unanchored mines become harmless within an hour after loss of control, the location of mines are carefully recorded, they are used to channelize neutral shipping but not in a manner to deny transit passage, they are not placed off the coast with the sole objective of intercepting commercial shipping and they must not be used in international waters with an indefinite extent.<sup>8</sup>

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<sup>5</sup> U.S. Naval Mine Warfare Plan. Programs for the New Millennium, Fourth Edition. Department of the Navy, 2000.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> NWP 1-14M (formerly NWP 9 (Rev. A)).

These regulations are obsolete, confusing and open to subjective interpretation. Most importantly, they are not followed by the typical non-state actor.

***a. International Law***

“International law makes clear that persons engaged in laying mines in international waters are involved in an act of war. We all understood that. We all say we honor that. But in fact, to my knowledge, in my professional Navy career, we’ve never gone out and sunk a guy laying mines the first shot out of the gun... [W]e always sort of pace around the campfire. So we sometimes buy ourselves into a problem by not exercising our right.”<sup>9</sup>

It is a fundamental tenet of the law of armed conflict that the right of nations engaged in armed conflict to choose methods or means of warfare is not unlimited. This rule of law is established to prohibit the use of weapons which are designed to cause superfluous injury or unnecessary suffering. Clearly, laying mines in international waters falls into this category, for mines are weapons whose indiscriminate effects cannot be limited to the enemy but can cause damage to innocent vessels and non-combatants alike. Therefore, not only are warships placed at risk when international waters are illegally mined, but innocent merchant and commercial vessels as well.

***b. Hostile Intent and the Inherent Right of Self-Defense***

The laying of mines in international waters violates the Law of the Sea, and more importantly, it clearly fits the description of hostile intent as defined by the Chairman of the Joint Chiefs of Staff. “The threat of imminent use of force against the United States, U.S. Forces, and in certain circumstances U.S. nationals, their property, U.S. commercial assets, and/or other designated non-U.S. forces, foreign nationals and their property.”<sup>10</sup> Although the Chairman of the Joint Chiefs of Staff states, “a commander has the authority and obligation to use all necessary means available and to take all appropriate actions to defend that commander’s unit and other U.S. forces in the vicinity from hostile act or demonstration of hostile intent,”<sup>11</sup> history reminds us that mines are not always viewed in this light. As Admiral Arthur, USCOMNAVCENT during the Gulf War

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<sup>9</sup> Arthur, Stanley, R. VADM, USN (Ret), Fleet Commander Recommended Hits on Iraqi Minelayers,” *Navy Times*, 27 May 1992, p.4.

<sup>10</sup> CJCSI 3121.01A Instruction, Standing rules of Engagement For US Forces, 15 January, 2002, p. A-5.

<sup>11</sup> *Ibid*, p. A-3.

states, “I know that the Army would shoot an intruder trying to plant a landmine outside their tent flap without a second thought, but they have a much different view of a mine going in the water.”<sup>12</sup>

#### IV. Going on the Offensive

Following the Gulf War, U.S. MCM doctrine addressed the importance of offensive or “proactive” MCM.<sup>13</sup> According to the U.S. Navy’s current Mine Warfare Plan, offensive MCM “...entails preventing an adversary from laying mines in the first place...” by destroying the mines at points of manufacture, storage facilities, and depots or during transport.<sup>14</sup> Following Desert Storm the concept of going on the offensive began to re-emerge and offer an attractive alternative to waiting until it is too late. The concept of offensive MCM operations has been embraced by the majority of U.S. Navy leaders and has been incorporated into all subsequent Mine Warfare Doctrine publications since the Gulf War but the political will to *strike first* has lost its luster over the past 11 years. A former CNO, Admiral Frank Kelso, addressed the absolute importance of offensive MCM doctrine in 1992 stating:

I believe there are some fundamentals about mine warfare that we should not forget. Once mines are laid, they are quite difficult to get rid of. That is not likely to change. It is probably going to get worse, because mines are going to become more sophisticated...[T]here is a premium on comprehensive mine countermeasures - the most effective of which is to prevent mines from being put into the water in the first place.<sup>15</sup>

Unquestionably, offensive MCM operations are the preferred option to counter the mine warfare capabilities of potential adversaries. Moreover, the destruction of the enemy’s capability to produce and deploy mines reduces the threat of re-seeding at a later time or in a different location. This course of action would immediately solidify U.S. resolve and leave the adversary with little doubt as to the consequences of this type of

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<sup>12</sup> Arthur, Stanley, R. Admiral U.S. Navy (Ret), [stan.Arthur@Imco.com](mailto:stan.Arthur@Imco.com) “Naval War College Request (CDR Mike Cashman.) [e-mail to CDR Mike Cashman, [Mikec88507@aol.com](mailto:Mikec88507@aol.com) 23 April 2002.

<sup>13</sup> U.S. Naval Mine Warfare Plan, Programs for the New Millennium, Fourth Edition. Department of the Navy, 2000. The U.S. Navy’s Mine Warfare Plan lists offensive (proactive) MCM as a primary objective in the Navy’s evolving MCM doctrine. Mine Warfare Plan, p. 24.

<sup>14</sup> U.S. Naval Mine Warfare Plan, Programs for the New Millennium, Fourth Edition. Department of the Navy, 2000.

aggression. As usual, the most critical factor associated with a successful offensive MCM campaign involves accurate intelligence and dedicated surveillance of enemy mine warfare capabilities. Although offensive MCM offers the most effective means of countering potential enemy mining, it suffers from a severely limited “window of opportunity.”

One of the best-known examples of offensive MCM occurred on September 21, 1987 during the Iran-Iraq War after the U.S. re-flagged Kuwaiti tankers for their protection. Iranian mining and attacks by small swift patrol boats became so successful that by the winter of 1986-87, Japanese, Swedish and Norwegian ships stopped traveling to Kuwait. This put pressure not merely on the Gulf States, but on the entire world, as oil prices began to rise to dangerous levels. From an economic and financial standpoint, preemptive strikes against an illegal minelayer should be justifiable and viewed by the entire world as a reasonable and proportional counter to an act of terrorism aimed at not only U.S. warships but any merchant vessel. While the U.S. rushed defensive minesweeping gear to the Gulf, the Navy realized it had to attack the problem at the source. The Army dispatched two MH-6 and four AH-6 Little Bird helicopters and charged them with “nailing suspicious contacts identified by Navy patrols.”<sup>16</sup> The “Iranian Ajr” was one of many small ships being monitored, and when she diverted from her normal course near Iran into international waters, the Navy launched three Little Birds to monitor the ship’s actions. The Little Birds were equipped with sophisticated night flying and surveillance gear and confirmed mine-like objects being rolled overboard. The Little Bird pilots were given the “green light” to take the “Ajr” under fire and quickly neutralized the vessel. This scenario was quick, effective, and most importantly stopped the haphazard sprinkling of mines in international waters. The Special Forces operations demonstrated to the Iranians that further mining operations with the careless intention of endangering innocent vessels would come at a severe cost. Once deterred from laying mines, the Iranians quickly changed their tactic and lost the element of surprise.

Most war fighters will agree that Offensive Mine Countermeasures is the most preferred counter to enemy mining efforts, but history has shown that political sensitivities, coalition disagreements, and even

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<sup>15</sup> Kelso, Frank B. II ADM (Ret), *Building Blocks of Naval Power*, U.S. Naval Institute *Proceedings*, Nov 1992.

operational decision makers are not always ready to “preempt” a conflict. The constraints that face a Naval Commander from a strategic, operational and tactical level are immense; “they will always create a diversion that is costly in time and in planning.”<sup>17</sup> Once mines find their way into territorial waters the time it takes a dedicated MCM force to clear the area or determine where the mines are, is considerable. At that point a Commander must assess numerous operational and tactical strategies and take a calculated risk when deciding whether or not to send his battle group into “unknown” waters.

## **V. The Emergence of a “New” Type of Terrorism**

The United States has embarked upon a new type of war...the global war on terrorism. Terrorism has many forms and a variety of avenues with which to achieve its objectives. Maritime terrorism can do just that from a political, military and economical standpoint. Not only does a belligerent usually achieve surprise, but he can also achieve much needed time to establish a counter-offensive. Moreover, maritime terrorism may involve attacks on ships or maritime installations by non-governmental groups for reasons other than financial gain.<sup>18</sup> With today’s terrorist organizations constantly seeking new and more vulnerable targets, and given the growing proficiency and willingness to use destructive weapons indiscriminately, it may be just a matter of time before sea mines join the repertoire of more traditional terrorist weapons. The list of terrorist states and organizations with the will and capability to proliferate mines is well known, and their ability to use this weapon to terrorize, stall or deter future naval battle plans and illegally block seaports for political or ideological objectives is a real threat and needs to be acknowledged, acted upon and endorsed by future coalition partners.

## **VI. Recommendations**

### ***a. Rules of Engagement: Illegal Mine Laying is an Act of War***

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<sup>16</sup> Clancy, Tom with Stiner, Carl (Ret), *Shadow Warriors – Inside the Special Forces*, 2002, p. 399.

<sup>17</sup> Arthur, Stanley, R. Admiral U.S. Navy (Ret), [stan.Arthur@Imco.com](mailto:stan.Arthur@Imco.com) “Naval War College Request (CDR Mike Cashman.) [E-mail to CDR Mike Cashman, [Mikec88507@aol.com](mailto:Mikec88507@aol.com) 23 April 2002.

<sup>18</sup> Schiller, Thomas C., “Maritime Terrorism: The Threat,” *Violence at Sea*, P. 88.

During Desert Shield, it was the COMUSNAVCENT staff's perception in mid-November 1990 that Iraq was not anxious to start a war and would not have done so if NAVCENT forces had attacked one of its minelayers. In retrospect, because the coalition allowed Iraq to mine the Persian Gulf without opposition, Iraq's perception of the United States as a "paper tiger" may have been reinforced. USCINCCENT rules of engagement required catching Iraqi minelayers in the act, even though USCINCCENT did not allow surveillance assets in the areas where Iraqis were laying the mines. General Schwarzkopf rejected every request by COMUSNAVCENT to allow surveillance assets in the areas where minelayers were suspected, and even remotely piloted vehicles were prohibited.

From a political and military perspective the U.S. must acknowledge the indiscriminate laying of mines in international waters for what it is – a ruthless act of war. During Desert Shield and Desert Storm the perception from the strategic level was that, "if we went after the boats and piers where the mines were being deployed it would kick off the war...We in the Navy do not believe sinking a few boats caught in the process of laying mines will cause anything more than a cessation of the activity and lots of rhetoric but no full scale reaction"<sup>19</sup> "We had the warehouses, depots and pier facilities on our plan but were not able to strike."<sup>20</sup>

### ***b. Clarify and Enforce International Laws***

More than four decades ago James M. Spaight, a British expert on the law of war, stated that the 1907 Hague Convention No. VIII "...was never a very satisfactory convention and is now badly in need of overhaul."<sup>21</sup> The 1907 Hague Convention suffers from serious inadequacies in terms of applicability and enforceability. Probably the most excusable error in the Hague Convention was its failure to anticipate future improvements in mine warfare technology and capabilities. The Hague Convention is still the basis on which the United States and various Western states formulate their policies regarding the employment of mines during periods of armed conflict. The U.S. needs to initiate revamping of this Convention in order to reinforce the conditions that justify the laying of mines in all situations. This should serve to legitimize coalition support for

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<sup>19</sup> Arthur, Stanley, R. Admiral U.S. Navy (Ret), [stan.Arthur@Imco.com](mailto:stan.Arthur@Imco.com) "Naval War College Request (CDR Mike Cashman.) [e-mail to CDR Mike Cashman, [Mikec88507@aol.com](mailto:Mikec88507@aol.com) 23 April 2002.

<sup>20</sup> Pokrant, Marvin, "[Desert Storm at Sea, What the Navy really Did](#)," 1999, The CAN Corporation.

striking minelayers that violate convention guidelines. Although sub-state actors, such as terrorist organizations and insurgent groups, have rarely adhered to customary or conventional international law, it might serve to codify coalition support for attacking those involved in the housing, movement and laying of mines in international waters. If the majority of the world views illegal minelaying as an overt act of war, their support for U.S. and coalition preemptive strikes may be deemed justifiable.

***c. Break down Inter-Service Barriers/Politics***

Although not under the heading of “preemptive” mine warfare, a very distinct and relevant issue of inter-service politics was disclosed during an interview with the former COMUSNAVCENT, Admiral Stanley Arthur. He states, during the Gulf War the service CINC’s were perceived as being of the mind-set that “the Navy is always anxious to start a conflict. General Schwartzkopf certainly believed that. In reality, there is too much jealousy related to who gets to take the first shot in anger, and Air Force and Army CINC’s will never let the Navy do a preemptive strike on an obvious act of war such as laying mines in international waters.”<sup>22</sup> This one-sided approach needs to be addressed from at the national strategic level, and inter-service politics, to the extent possible, kept to a minimum.

***d. Inform/Educate the Media***

As seen during the Iran-Iraq War of 1987, the “positive” media attention given to the U.S. decision to preemptively attack the “Iranian Ajr” was critical to the overall success of the U.S. effort. The world viewed the laying of mines by the Iranians for what it was...an act of war. The threat of oil prices rising to dangerous levels helped solidify world opinion and rally support for U.S. actions. The influence the media has on public perceptions can not be underestimated, and when successfully educated on International Law and the Right of Innocent Passage, it may be the first step toward a successful media campaign against a nation who supports illegal mine laying.

***e. Dedicated Reconnaissance Assets and Battlespace Preparation***

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<sup>21</sup> Levie, Howard S., *Mine Warfare at Sea*. Martinus Nijhoff Publishers, London, UK, 1992

<sup>22</sup> Arthur, Stanley, R. Admiral U.S. Navy (Ret), [stan.Arthur@Imco.com](mailto:stan.Arthur@Imco.com) “Naval War College Request (CDR Mike Cashman.) [e-mail to CDR Mike Cashman, [Mikec88507@aol.com](mailto:Mikec88507@aol.com) 23 April 2002.

The U.S. needs to more effectively prioritize aircraft, satellites and covert Special Operations Forces to track the locations, construction and movement of mine laying assets. Unfortunately, this proved to be too hard from a political standpoint before Desert Storm, and ultimately allowed the Iraqis to plant 1300 mines with virtually no opposition.

A sustained, peacetime mine countermeasures effort aimed at battlespace preparation, combined with an aggressive all-source intelligence collection effort is necessary and critical to providing the foundation of technical knowledge required to support mine countermeasures operations. More specifically, battlespace preparation includes bottom mapping, surveying, and detailed intelligence databases for use in tracking the location and degree to which waters have been mined. Additionally, an enemy's minelaying proficiency, their minelaying tactics and most importantly the location of mine stockpiles, mine laying platforms and production facilities is not only essential but obtainable. This effort demands dedicated surveillance assets and mine reconnaissance operations to accurately assess which nation, or state actor, possesses the most serious threat. Currently, reconnaissance operations rely upon MCM systems and platforms to conduct reconnaissance operations, using new technology and minehunting capabilities still under development. This effort is not enough and not the most efficient use of MCM assets.

***f. Develop a "Lawful Targeting" Plan***

The law of targeting requires that all reasonable precautions be taken to ensure that only military objectives are targeted so that civilians and civilian objects are spared as much as possible. The question becomes what are the military objectives and what effect do they have on the overall mining effort, if any? First, the proper targets for military attack must be the minelaying vessel itself. Second, the minelaying infrastructure must be targeted in order to degrade the mine producing and minelaying effort. This would be a first step in displaying a unified stance and begin to show U.S. and coalition resolve in the matter. If needed,

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economic targets must also come under attack if the belligerent does not cease operations or fails to identify areas that have been illegally mined. These targets include sites that may directly or indirectly support and sustain the enemy's war-fighting capability. The bottom line is that the enemy must recognize the fact that his "illegal" actions are going to be dealt with quickly and severely by whatever means necessary.

***g. Increase Coalition Support***

Future campaigns will require that coalition partners take a collective stance on illegal mining. Coalition partners need to recognize the adverse economic, political and military effects that illegal mining can have on their country. The United States needs to take the lead in this effort and inculcate this philosophy with our allies through multi-nation war-gaming and exercise scenarios.

**VII. Conclusions**

At the top of the list for the weakest areas in NAVCENT's performance during Desert Shield/Desert Storm was mine warfare capabilities. In preparing to fight a global war against the Soviet Union, the United States relied heavily on allies to provide mine countermeasure forces. As a result, U.S. MCM equipment was inadequate for the major challenge presented by the Iraqis in Desert Storm.

The United States must reassess its priorities, reevaluate the risks associated with allowing belligerents to lay mines in international waters and adapt counter terrorism procedures to prevent, deter or alter illegal minelaying. The proliferation of mines of various degrees of sophistication is growing out of control, and any nation with even the most limited financial resources can acquire this show-stopping capability. While U.S. mine countermeasures forces begin to rebuild their capabilities and invest in technological advancements, there exists a "gap in coverage," and that gap needs to be filled with the political and strategic will to *strike first* and prevent mines from being laid in the first place, or the United States will once again fall victim to the acts of terrorists.

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