



House of Commons
Foreign Affairs Committee

No prosperity without justice: the UK's relationship with Iran

Fifth Report of Session 2019–21

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 8 December 2020*

HC 415

Published on 16 December 2020
by authority of the House of Commons

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Summary

Iran's malign regional actions challenge the values which underpin British foreign policy. International cooperation, safeguarding human rights, and upholding the rule of law are all weakened by Tehran. The change of administration in the United States, the renewed nuclear activity in Iran and the recent attack on a senior nuclear scientist make this a moment when the UK's relationship with Iran seems of special relevance. The 2015 Joint Comprehensive Plan of Action (JCPOA), which sought to remove the prospect of a nuclear-armed Iran, has been unravelling since 2018, and Iran continues to disregard its international human rights commitments to the detriment of ordinary Iranians, people across the Middle East, and British nationals who have been arbitrarily detained.

There are several actions the Government could usefully pursue to both influence the international response to current challenges and define an approach which is more effective for the UK. The rump JCPOA is imperfect: strengthening it to address its sunset clauses, provisions on ballistic missiles, and the inspection powers of the International Atomic Energy Agency (IAEA) could provide some short-term reassurance. In the long term, the Government needs to outline how it plans to address Iran's wider destabilising activities and the alliances which will be necessary to achieve this. We encourage the Government to look at its traditional partners within Europe and the US, but to also build a strategy that works through its unique relationship with the Gulf states to broaden the ground for diplomacy and build regional and international consensus on the shape of the response to these challenges.

While the Government needs to operate flexibly to find creative solutions to the current challenges posed by Iran's nuclear programme, it should also recognise and address the threat posed to ordinary people by the Iranian state. Alongside more direct engagement with the Iranian people building upon shared values and interests, we recommend proscribing the Islamic Revolutionary Guard Corps (IRGC) in its entirety for its clear and enduring support for terrorists and non-state actors working to undermine stability in the region.

More specifically, the arbitrary detention of several British nationals in Iran is of particular concern in the UK. Though we are not alone in seeing our nationals held on spurious grounds, securing timely release for these detainees is an area in which the Government has been ineffective. It needs to review its processes, recognise these detainees as hostages, and lead on an international convention on State Hostage Taking to prohibit and call out this practice. These tools are ineffective on their own: they need to be accompanied by corporate change within the FCDO, and Magnitsky Sanctions which can be used to target human rights abusers within Iran and acting for it abroad.

The prime victims of the Iranian regime are the Iranian people. The UK needs to continue to express support for those suffering under the violence of the regime.

1 Introduction

1. In our *A brave new Britain? The future of the UK's international policy* report, we noted the pressures placed on international rules and norms and explored the implications for British foreign policy:

[...] global competition is [...] a battle between competing visions and mindsets. Autocracies are increasingly challenging the rules and norms that have, for decades, regulated international exchange. As competition intensifies, it will fall on democratic nations to uphold the central tenets of the rules-based international system, including democracy, human rights, and free trade.¹

In his statement emphasising the goals of Global Britain following the UK's departure from the EU, the Foreign Secretary noted that strengthening the UK's position in the world using the international rule of law as a guiding light was an important pillar of the Government's strategy to, amongst other things, "defend journalists from attack, stand up for freedom of religion and conscience, and develop our own independent sanctions regime to tackle human rights abusers head on."²

2. The connection between this statement and our inquiry is obvious. Iran has an appalling human rights record which oppresses its citizens according to their gender, religion or political affiliation, and uses its reading of the principles of *sharia* law to justify cruel punishments administered within a legal system which does not come close to meeting international judicial standards. Of notable concern to the UK is its long-standing detention of British citizens, British-Iranian dual nationals, and British residents on spurious or undisclosed charges seemingly to establish political leverage. The case of Nazanin Zaghari-Ratcliffe, detained in Iran since April 2016, is especially prominent in the UK press and the announcement in October 2020 that she would face fresh charges underlines the importance of examining the FCDO's strategy in countering this behaviour.

3. The importance of upholding and promoting these values is, however, only one explanation for our interest in exploring the UK's relationship with Iran. The UK remains a signatory to the 2015 Joint Comprehensive Plan of Action (JCPOA) which sought to address Iran's nuclear proliferation ambitions. Following US withdrawal from the deal in 2018 and Iranian non-compliance with several provisions from 2019, the JCPOA has been, in the Foreign Secretary's words, "left a shell of an agreement."³ Despite Joe Biden's victory in the US presidential election in November, the agreement is a shadow of its previous incarnation and makes the Government's consideration of its strategy going forward more important than ever.

4. In the long-term, the nuclear proliferation implications of Iran's non-compliance present a clear threat to regional and global stability; in the short-term, disintegration of the JCPOA has heightened tensions in the Gulf. The Strait of Hormuz was the scene of the detention of the Swedish-owned British-flagged *Stena Impero* in July 2019, following detention of the Iranian *Grace I* tanker in Gibraltar, and was followed by an attack on the Saudi Aramco oil processing facility which the UN determined likely came from Iran.

1 Foreign Affairs Committee, Fourth Report of Session 2019–21, [Global Britain](#), HC 380, para 4

2 HC Deb, 3 February 2020, cols [25–27](#)

3 HC Debate, 13 January 2020, col [753](#)

Tensions were further tested throughout 2020 following the US killing of General Qasem Soleimani in January and Iran's retaliatory attack on Ain al-Asad coalition air base in Iraq, as well as the downing of Ukraine International Airlines Flight 752 by the Islamic Revolutionary Guard Corps (IRGC).

Our inquiry

5. This report principally addresses the aspects of the UK's relationship with Iran which are of the clearest importance to the British people: nuclear proliferation and human rights. In so doing, we consider the wider implications of engagement with Iran, particularly the UK's specific interests and those of its allies, especially in the Gulf. In exploring Iran's human rights record, we consider the complementary measures which need to be taken to address holistically the challenge of engagement.

6. Our predecessor Committee began a similarly focused inquiry in July 2019, which was interrupted by the General Election. We issued a new terms of reference and call for written evidence in March 2020. The 30 submissions we published have been used to inform this report.

7. The restrictions placed on parliamentary select committees by the covid-19 pandemic inspired us to adopt an innovative approach to collect evidence. Rather than conduct a series of oral evidence sessions, we invited eight witnesses to participate in an online written forum over a two-week period, from 22 June until 3 July, an approach we are confident has a place in evidence gathering after a return to physical proceedings. We are very grateful to all witnesses, and especially to those who dedicated time to answering questions in the forum.

2 Future of the Nuclear Deal

8. The Joint Comprehensive Plan of Action (JCPOA) was the culmination of nearly a decade of negotiations between the UK, US, France, Germany, China, Russia (the P5+1) and Iran following reports from the International Atomic Energy Agency (IAEA) in 2003 that Iran had covertly made substantial progress in developing its civil nuclear capabilities.⁴ Further concerns over Iran's transparency and willingness to provide the IAEA with sufficient access to verify the peaceful nature of its nuclear programme led to a series of UN Security Council Resolutions, beginning in 2006, which imposed economic sanctions on Iran.⁵ The provisions of these resolutions terminated upon implementation of the JCPOA, which traded sanctions relief for verifiable restrictions on Iran's nuclear programme. The two years of full implementation from 2016 to 2018 saw frequent inspection of Iran's nuclear sites by the IAEA, which never found Iran to be in breach of its enrichment commitments.⁶ Restrictions on heavy water were breached twice in 2016 but were quickly remedied.^{7,8}

9. The JCPOA was controversial from the beginning due to its limited scope. The deal sought to curtail Iran's nuclear programme, but made no progress in addressing Iran's human rights violations, or its financial and military support for its network of *Shia* proxies and armed groups across the Middle East. While the deal was championed by the Democratic administration in the US and the Conservative government in the UK, significant opposition remained amongst the respective congressional and parliamentary members of those parties, and more broadly, over several key failings and omissions which are discussed later in this chapter.

10. US President Donald Trump announced the United States' re-imposition of sanctions on Iran in May 2018 citing concerns that Iran's destabilising regional activity, including its development of ballistic missiles, was not addressed in the JCPOA.⁹ President Trump advocated a successor to the JCPOA which addressed "Iran's ballistic missile program; [...] its terrorist activities worldwide; and [...] its menacing activity across the Middle East".¹⁰ This proposal was expounded by US Secretary of State Mike Pompeo to include an IAEA-verified end to all military nuclear proliferation, a permanent end to enrichment and plutonium reprocessing, and a declaration of all previous military dimensions to Iran's nuclear programme, as well as restrictions on ballistic missiles, and cessation of support for regional proxies, specifically against US regional allies.¹¹ Secretary Pompeo also stated that Iran must release citizens of the US and its allies "detained on spurious charges" and later included domestic human rights improvements within the scope of the US administration's proposed deal.^{12,13}

4 [Implementation of the NPT safeguards agreement in the Islamic Republic of Iran](#), IAEA, 6 June 2003

5 See: [1696 \(2006\)](#), [1737 \(2006\)](#), [1747 \(2007\)](#), [1803 \(2008\)](#), [1835 \(2008\)](#), [1929 \(2010\)](#) and [2224 \(2015\)](#).

6 [IAEA and Iran - IAEA Reports](#), International Atomic Energy Agency, accessed 27 October 2019

7 [Analysis of the IAEA's Eighth Iran Nuclear Deal Report: The JCPOA two years after Adoption Day](#), Institute for Science and International Security, David Albright and Andrea Stricker, 13 November 2017

8 [The Trump Administration and the Iran Nuclear Deal: Analysis of Noncompliance Claims](#), Carnegie Endowment for International Peace, 3 October 2017

9 [Remarks by President Trump on the Joint Comprehensive Plan of Action](#), White House, 8 May 2018

10 [Remarks by President Trump on the Joint Comprehensive Plan of Action](#), White House, 8 May 2018

11 [After the Deal: A New Iran Strategy, US Department of State](#), Michael R. Pompeo, 21 May 2018

12 [After the Deal: A New Iran Strategy, US Department of State](#), Michael R. Pompeo, 21 May 2018

13 [Confronting Iran: The Trump Administration's Strategy](#), Foreign Affairs, Michael R. Pompeo, November/December 2018

11. On 8 May 2019, the one-year anniversary of US withdrawal from the nuclear deal, Iran announced it would be reducing its compliance with the JCPOA. It also announced a programme of further deviation unless the remaining signatories could provide sufficient economic relief within 60 days.¹⁴ The three European signatories (E3) to the JCPOA – the UK, France and Germany – developed The Instrument in Support of Trade Exchanges (INSTEX) in January 2019 to facilitate non-US dollar and non-SWIFT transactions with Iran. Iran deemed this measure insufficient in mitigating the effects of US sanctions. From July 2019, Iran gradually reduced its compliance with the JCPOA and announced further deviations at 60-day intervals. As of December 2020, Iran has breached restrictions on stockpiles of enriched uranium and heavy water, research and development, operability of its enrichment site at Fordo, and the number of centrifuges in operation.¹⁵ These concerns over continued breaches of enrichment restrictions in November coincided with the killing of Mohsen Fakhrizadeh, Iran's most senior nuclear scientist, the long-term implications of which are unclear.¹⁶ The IAEA additionally noted in June that Iran denied it access to two locations and declined to answer questions on possible undeclared nuclear material,¹⁷ and in October that Iran had begun construction of an underground centrifuge assembly plant.¹⁸ Rafael Grossi, the Director General of the IAEA noted in October 2020 that Iran does not possess the level of enriched uranium necessary for one nuclear weapon.¹⁹ Ellie Geranmayeh, Deputy Director, Middle East and North Africa programme at European Council on Foreign Relations, and Sir Richard Dalton, former UK Ambassador to Iran, observed in their written evidence that in the absence of an active programme, Iran is in one sense no closer to constructing a nuclear weapon than during its period of full compliance with the JCPOA, although its theoretical 'break-out' time has nonetheless been substantially reduced.²⁰

12. The US and Iran have made little progress in addressing their respective concerns. US Treasury Secretary Steven Mnuchin stated that Iran must "cease support for terrorism and end destructive regional activities immediately" and "stop ballistic missiles and abandon their nuclear ambitions" before seeking sanctions relief.²¹ However, Iranian President Hassan Rouhani has refused to negotiate with the United States until its sanctions on Iran are lifted. On the role the UK might play in breaking the impasse, Dr Aniseh Bassiri Tabrizi, Senior Research Fellow at the Royal United Services Institute, noted that the UK is well placed "to convince the US that, without incentives in the form of sanction relief or a face-saving exit strategy, Iran is unlikely to cave in to pressure" and stressed the mediatory role the UK could play between the E3 and the US.²² Kasra Aarabi, Analyst with the Tony Blair Institute for Global Change, also emphasised the role the UK could play in bridging this transatlantic policy gap, highlighting the need for the UK to address the challenges posed by Iran alongside international partners as "The Islamic Republic has, and will continue to, exploit disagreements between the US and Europe to its advantage."²³ Alongside its relationship with the E3 and the US, the UK enjoys a strong historical bond

14 ['Making sense of Iran's nuclear moves'](#), The Hill, 8 October 2019

15 [Iran nuclear deal: Why do the limits on uranium enrichment matter?](#), BBC News, 14 January 2020

16 [Mohsen Fakhrizadeh, Iran's top nuclear scientist, assassinated near Tehran](#), BBC News, 28 November 2020

17 [NPT safeguards agreement with the Islamic Republic of Iran](#), 5 June 2020, page 4

18 [Iran starts building underground nuclear facility: IAEA](#), Al Jazeera, 27 October 2020

19 [Iran short of 'significant quantity' of potential bomb material - IAEA boss](#), Reuters, 10 October 2020

20 Ellie Geranmayeh and Sir Richard Dalton KCMG ([UK10012](#)), p 1

21 [Secretary of State Michael R. Pompeo And Secretary of Treasury Steven T. Mnuchin at a Press Availability on Iran Sanctions](#), US Embassy in Georgia, 5 November 2018

22 [Q10](#) [Dr Aniseh Bassiri Tabrizi]

23 [Q10](#) [Kasra Aarabi]

with the member states of the Gulf Cooperation Council (GCC) and Israel, as well as a multitude of important regional partners. Consequently, the UK is uniquely placed to build regional and international consensus on addressing Iran's malign activity.

13. The US's deviation from the approach of the P5+1 has had far reaching consequences. Witnesses noted that 'maximum pressure' had caused significant economic hardship to ordinary Iranians and profoundly influenced Iran's domestic political scene which had consequently seen the election of hardline candidates.²⁴ Ellie Geranmayeh further noted that the policy had "pushed Iran into a corner" resulting in an escalation of regional tensions in the absence of "space for genuine diplomacy".²⁵

14. Perhaps most concerningly, Dr Anicée Van Engeland, Senior Lecturer in International Security at Cranfield Forensic Institute, argued that "Trying to suffocate Iran economically and change it politically have been mistakes that have driven the country into the arms of Russia and China."²⁶ Indeed, Behnam Ben Taleblu, Senior Fellow at the Foundation for Defense of Democracies, noted that Russia and China, as "anti-status quo actors" which are "hostile to the liberal-led international system", "feel comfortable selectively empowering Iran".²⁷ In October 2020, it was reported that Iran was in the latter stages of negotiating a 25-year Comprehensive Strategic Cooperation Agreement with China designed to advance common interests and counter unilateralism.²⁸ This Eastward-looking approach was identified by Ellie Geranmayeh as part of Iran's preference for deeper ties with states "uninterested in regime change" which can ultimately offer economic cooperation with fewer "political strings attached".²⁹

15. Disunity in addressing the nuclear issue, especially between the US and the E3, has not served the UK's interests. Instead, it has disincentivised Iranian engagement with the West and presented an opportunity for Russia and China to pursue their respective agendas in the Middle East. In the absence of decisive leadership and multilateral cooperation going forward, there is a risk that Iran will turn further to Russia and China for the economic relief they can each offer at a knock-down political price.

Known issues

16. The Foreign Secretary characterised the JCPOA as "not a perfect deal"³⁰ although stated in written evidence that, for the time being at least, it remains "the best current way of constraining Iran's nuclear programme."³¹ However this view was not shared by all our witnesses. Behnam Ben Taleblu noted that lapsing sunset clauses, such as the arms embargo, coupled with Iran's escalation of regional conflict and incremental noncompliance with its nuclear agreements "make the JCPOA not worth salvaging".³² The JCPOA's sunset clauses have proved controversial since its inception.³³ The UN embargo on conventional

24 [Q15](#) [Dr Sanam Vakil]

25 [Q27](#) [Ellie Geranmayeh]

26 [Q29](#) [Dr Anicée Van Engeland]

27 [Q29](#) [Behnam Ben Taleblu]

28 [Iranian President and his Deputy Praise 25-Year Contract with China](#), Radio Farda, 2 October 2020

29 [Q29](#) [Ellie Geranmayeh]

30 Oral evidence taken before the Foreign Affairs Committee on 6 October 2020, HC (2019–21) 253, [Q230](#)

31 Foreign and Commonwealth Office ([UK10031](#)), para 6

32 [Q8](#) [Behnam Ben Taleblu]

33 For example: Benjamin Netanyahu's speech before the US Congress, [3 March 2015](#); Westminster Hall debate on the Iranian Nuclear Programme, [2 July 2015](#); and remarks by Dick Cheney, [8 September 2015](#).

arms was lifted in October 2020,³⁴ and significant additional restrictions are due to expire in 2023 (UN sanctions on ballistic missiles), 2025 (remaining EU sanctions), 2030 (end of several enrichment caps) and 2040 (end of IAEA monitoring of uranium production).³⁵

17. The United States' 2018 withdrawal from the JCPOA provoked a mixed response amongst the members states of the Gulf Cooperation Council (GCC). The United Arab Emirates, Saudi Arabia and Bahrain broadly supported the move; the latter two specifically citing the JCPOA's failure to address Iran's ballistic missile programme and Iran's destabilising regional presence as significant shortcomings.³⁶³⁷³⁸ The responses from Kuwait, Qatar and Oman were more muted and did not expressly support US withdrawal; Kuwait stated it "understands and respects" the US position, and Oman and Qatar respectively warned against confrontation and emphasised dialogue to promote stability in the region.³⁹

18. Every member of the GCC is well within range of Iranian ballistic missiles, and the threat is of particular concern to Saudi Arabia, which saw two sets of attacks on its oil fields in September 2019.⁴⁰ Witnesses were divided on whether a replacement or renegotiation of the JCPOA would be ineffective without restrictions on ballistic missiles. Ellie Geranmayeh noted that the lengthening of Iran's break-out time under the JCPOA "considerably reduces the threat posed by any Iranian efforts to build missiles capable of carrying nuclear warheads" and suggested that a regional security framework might more realistically constrain Iran's ballistic missile capabilities.⁴¹ Dr Sanam Vakil took a slightly different approach, stating "[a]ny improvements made to the JCPOA should endeavour to address Iran's ballistic missile program", although she agreed that a complementary framework agreeing similar constraints on Iran's neighbours would be necessary before any Iranian concessions.⁴² Ballistic missiles are not specifically covered by the JCPOA, although Dr Tabrizi notes that those capable of delivering a nuclear warhead are restricted through United Nations Security Council Resolution 2231 and could theoretically be re-addressed in a successor to, or renegotiation of, the JCPOA.⁴³ Crucially, the language of UNSCR 2231 is non-binding and only "called on" Iran "not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons".⁴⁴ Despite this, some witnesses raised concerns that Iran continued to test ballistic missiles theoretically capable of delivering nuclear weapons.⁴⁵

19. A significant weakness of UN Security Council Resolution 2231 was its failure to prohibit Iran from developing ballistic missiles capable of delivering nuclear warheads. In a treaty fundamentally designed to deliver non-proliferation assurances, it is entirely reasonable that the JCPOA should place a binding restriction on Iran from developing such missiles.

34 [Iran hails lifting of 13-year UN arms embargo as 'momentous day'](#), The Guardian, Patrick Wintour, 18 October 2020

35 [The nuclear agreement with Iran](#), European Parliament, January 2016, p 4

36 [UAE supports U.S. withdrawal from Iran nuclear deal: state news agency](#), Reuters, 8 May 2018

37 [Bahrain would welcome 'new JCPOA' if Iran ends 'toxic' behavior](#), Al-Monitor, 27 September 2019

38 [Saudi Arabia says backs U.S. decision to withdraw from Iran nuclear deal](#), Reuters, 8 May 2018

39 [Gulf Arab allies hail triumph after U.S. quits Iran deal](#), Reuters, Stephen Kalin, Sarah Dadouch, 8 May 2018

40 [Missiles of Iran](#), Center for Strategic and International Studies, accessed 13 October 2020

41 [Q14](#) [Ellie Geranmayeh]

42 [Q14](#) [Dr Sanam Vakil]

43 [Q14](#) [Dr Aniseh Bassiri Tabrizi]

44 Security Council Resolution [2231 \(2015\)](#)

45 Friends of Israel Initiative ([UKI0023](#)) para 12; Conservative Friends of Israel ([UKI0024](#)) para 16.

20. The IAEA's timetable for inspection of Iran's declared and undeclared nuclear sites has also proved controversial. Should the IAEA wish to inspect an undeclared nuclear site, it must submit a request to Iran for access. In the event of refusal by Iran to grant access, a mediatory process by the Joint Commission taking up to seven days can begin within 14 days of the initial IAEA request with a resolution agreed by simple majority. Iran then has three days to implement the Joint Commission's decision.⁴⁶ This theoretical 24-day window has been highlighted as a flaw in the JCPOA by some commentators fearing it provides Iran a window to remove evidence of non-compliance⁴⁷ although, as the Center for Arms Control and Non-Proliferation notes, 24 days is not nearly long enough for the removal of all traces of nuclear material.⁴⁸ Commentators noted that in the event of a dispute over Iran's non-compliance with an IAEA request, sanctions could not be 'snap-backed' for a further 65 days, presenting a challenge to the agreement if Iran reversed its opposition to inspection in the interim.⁴⁹ The question left by the absence of a definitive timetable within Annex I, Section Q of the JCPOA has led some to question the agreement's usefulness. Additionally, Iranian leaders have publicly stated that that IAEA's access to certain sites will be refused, which further raises concerns over the agreement's enforcement mechanisms.⁵⁰

21. Iran could be more forthcoming when granting access for IAEA inspections. Additionally, Iran has publicly stated it would not allow inspection of military sites, despite such visits falling within the terms of the JCPOA. These actions undermine political confidence in the nuclear deal, so additional penalties or provisions could be introduced to encourage a behaviour change.

22. Annex I, Section Q, paragraph 78 of the JCPOA does not set out a definitive timetable for action in a potential period between non-compliance with the Joint Commission and the snapback of sanctions. This lack of clarity has proved contentious. Clarifying this section of the agreement would help to satisfy all parties that impediments to the IAEA's access can be addressed within defined and reasonable parameter and could also serve as a useful confidence building measure.

23. Iran's exact long-term intentions for the development of its nuclear programme are unclear. Much is made of a *fatwa*⁵¹ issued by Ayatollah Khamenei declaring nuclear weapons to be *haram*,⁵² but its existence and practical implementation are contested, particularly as it does not appear amongst his published rulings.⁵³ Dr Jonathan Spyer

46 [Joint Comprehensive Plan of Action](#), paras 74–78, accessed 14 October 2020

47 See, for example: comments by former IAEA Deputy Director General Olli Heinonen, [22 July 2015](#); director of the Center for Strategic and International Studies' Proliferation Prevention Program, Sharon Squassoni's comments to CBS, [14 July 2015](#); and comments by US Senator Charles E. Schumer, [6 August 2015](#).

48 [Iran Nuclear Deal: Debunking the Myths](#), Center for Arms Control and Non-Proliferation, 31 August 2015

49 [Paragraphs 35–37](#) of the JCPOA outline the Dispute Resolution Mechanism which sets out the timetable for sanctions snapback after consideration by the Joint Commission, an Advisory Board, and the UN Security Council. The 65-day timetable could theoretically be extended by consensus to an undefined limit. Several have stated publicly that this is a weakness, for example: [Dr. Robert Joseph](#), [William Tobey](#), and Richard A. Goldberg noted in [written evidence](#) that at the time of writing the DRM "has been operational for three months and has failed to bring Iran back into JCPOA compliance."

50 For example: The United States has [suggested](#) that the IAEA request inspection of Iran's military facilities; a course of action available to the IAEA under the [terms of the JCPOA](#). Commenting on the IAEA's refusal to do so, a spokesperson for the Agency [stated](#) it would not "visit a military site like Parchin just to send a political signal." Iran's President has [stated](#) they would refuse to grant the IAEA access to military facilities, although [access was granted](#) in July 2015 to Parchin.

51 An opinion on an aspect of Islamic law made by a legal scholar: [The Oxford Dictionary of Islam](#)

52 Forbidden under Islamic law: [The Oxford Dictionary of Islam](#)

53 [Iran's Nuclear Weapons Fatwa Is a Myth](#), American Foreign Policy Council, James S Robbins, 17 February 2015

noted in his written evidence that “Iran ultimately seeks nuclear weapons as a hegemonic insurance policy to render itself unassailable while continuing the strategy of regional subversion and influence building by force”.⁵⁴ A collection of 55,000 pages of documents and 183 CDs obtained by Israeli intelligence in 2018 purportedly detail Iran’s active engagement in military nuclear proliferation prior to 2004 and were treated credibly by the IAEA.⁵⁵ Critics concerned by Iran’s historically covert approach and military designs for its nuclear programme argue that sunset clauses simply push back Iran’s timetable for nuclear weapon development rather than eliminating it as a theoretical possibility.⁵⁶ Behnam Ben Taleblu noted that when discussing nuclear capabilities, any renegotiation or replacement of the JCPOA should consider such questions as “how much of a nuclear program can Iran have?” or “can Iran have a nuclear program at all?” when negotiating the political as well as practical restraints of sunset clauses.⁵⁷

24. Given the historically covert nature of Iran’s nuclear programme, the lack of good faith it has shown in supporting the free and timely inspection efforts of the IAEA, and recent evidence indicating the military dimensions to its nuclear efforts of the early 2000s, we find it hard to envisage a time when an Iranian nuclear programme will have widespread support in the region.

25. We agree with the Foreign Secretary that the nuclear deal is imperfect, but Iran’s non-compliance over the last year has indicated what the nuclear proliferation implications of terminating the JCPOA without a viable replacement might be. A more satisfactory arrangement for all signatories is within reach but is not guaranteed. We recommend that the Government takes the lead amongst the E3 in discussions in the New Year with the incoming US Administration on the future of the JCPOA. It should aim to bring all parties back into full compliance and address the concerns of Gulf allies initially overlooked by the JCPOA, specifically;

- i) Ballistic missiles capable of delivering nuclear warheads;**
- ii) Sunset clauses;**
- iii) Timely and public compliance with International Atomic Energy Agency inspection requests; and**
- iv) International Atomic Energy Agency inspection of undeclared nuclear sites and material.**

The Government should be prepared to work with European and American partners to invoke the snapback of sanctions if full compliance is not achieved.

54 Dr Jonathan Spyer ([UKI0020](#)) Executive summary

55 [The IAEA's diligent investigation of Iran's 'atomic archive'](#), International Institute for Strategic Studies, Mark Fitzpatrick, 20 March 2019

56 See for example: Jewish Leadership Council ([UKI0005](#)) para 23; Henry Jackson Society ([UKI0007](#)) p 7; Behnam Ben Taleblu and Andrea Stricker ([UKI0010](#)) para 22; Link for Freedom Foundation ([UKI0017](#)) p 5.

57 [Q13](#) [Behnam Ben Taleblu]

Renegotiation or replacement?

26. Iran's destabilising role in the Middle East, particularly its support for *Shia* proxies and its arsenal of ballistic missiles, has long been of concern amongst states in the Gulf, and within Europe and the US for fear such capabilities could portend development of inter-continental ballistic missiles or further expand its export of terrorism.⁵⁸ Iran has the largest supply of ballistic missiles in the region with a range of up to 2000 km, bringing parts of Northern and Eastern Africa, Eastern Europe, and most of India into range. Its rationale for developing this stock was summarised as

[...] deterring attacks against Iran, providing warfighting capabilities if deterrence fails or Iran decides to initiate hostilities, supporting military capabilities of regional proxies such as Hezbollah and the Houthis, enhancing national pride and regional influence, and providing a nuclear delivery hedge if Iran decides to acquire nuclear weapons.⁵⁹

In addition to significant levels of testing, Iran has used ballistic missiles during the Iran-Iraq war, and is believed to have supplied them to its *Shia* proxies in the region as part of their attacks on Israel, Saudi Arabia, and the United Arab Emirates.⁶⁰

27. A discussion on ballistic missiles and broader regional security was omitted from the JCPOA, which was underpinned by only a non-binding restriction on development of missiles capable of delivering nuclear warheads.⁶¹ The disintegration of the JCPOA since 2018 has led some to explore whether these concerns could instead be adequately addressed through a complete replacement of the nuclear deal. In September 2019, the Foreign Secretary outlined that the UK remained committed to the nuclear deal, but left open the possibility of negotiating improvements, stating that “Ultimately, we need a longer-term framework that provides greater certainty over Iran's nuclear programme and [...] we must also bring Iran's wider destabilising activities into scope”.⁶²

28. Outlining in September his proposed approach to addressing the issues left as outstanding in the JCPOA, American President-elect Joe Biden stated he would “rejoin the agreement as a starting point for follow-on negotiations” with a long-term goal to “strengthen and extend the nuclear deal's provisions, while also addressing other issues of concern”.⁶³ A statement which seemingly leaves open the possibility of either a renegotiation or replacement of the JCPOA. The Foreign Secretary similarly told us that the JCPOA “is not a perfect deal” but acknowledged that it should not be shelved until it could be replaced by something better.⁶⁴

29. Witnesses were divided on whether a wide-ranging successor to the JCPOA was feasible. Some cited concerns that Iran had already rejected such broad talks and instead told us that they favoured separate stand-alone agreements to successively address areas of concern⁶⁵ and Ellie Geranmayeh noted that a separate stand-alone framework might

58 For example: ‘Significant concern’: UK condemns Iran ballistic missile launch, Al Jazeera, 24 April 2020; [Iran's network of influence in Mid-East 'growing'](#), BBC News, Frank Gardner, 7 November 2019

59 [Constraining Iran's missile capabilities](#), Robert Einhorn and Vann H. Van Diepen, Brookings Institute, March 2019

60 [Constraining Iran's missile capabilities](#), Robert Einhorn and Vann H. Van Diepen, Brookings Institute, March 2019

61 Security Council Resolution [2231 \(2015\)](#)

62 HC Deb, 25 September 2019, [col 757](#)

63 [Joe Biden: There's a smarter way to be tough on Iran](#), Joe Biden, CNN, 13 September 2020

64 Oral evidence taken before the Foreign Affairs Committee on 6 October 2020, HC (2019–21) 253, [Q230](#)

65 [Q14](#) [Dr Anicée Van Engeland]

be better suited to addressing issues of regional security.⁶⁶ Furthermore, the ratification by the Iranian *Majlis* of a bill designed to boost enrichment and reduce IAEA access to nuclear sites if US sanctions are not lifted within two months of its implementation adds additional time-pressure to any immediate renegotiation of the JCPOA.⁶⁷

30. However, an approach seeking to construct separate agreements to respectively address themes such as human rights, regional security or nuclear proliferation was rejected by other witnesses. Behnam Ben Taleblu argued that “sanctions are the primary tool the West has to be able to persuade Tehran to make reforms to its behavior” and that failing to address the broad range of threats posed by Iran comprehensively risked “creating isolated tracks for talks where Tehran can impede or threaten progress on one based on how the other is going”⁶⁸ and further noted that “failing to include [missile restrictions] in a comprehensive deal would by definition make that new accord not comprehensive”.⁶⁹ Dr Sanam Vakil agreed that a broader deal incorporating ballistic missiles was preferable, but that Iran would be unlikely to make concessions without similar restraints on neighbouring countries.⁷⁰

31. Dr Van Engeland noted that the political context in which the JCPOA was negotiated has changed, which might make substantial renegotiation harder to achieve than anticipated.⁷¹ The same is also true of the UK's position in negotiations. However, following an increasingly isolationist US position since 2017 and the UK's departure from the EU in January 2020, there was an indication from some witnesses that the UK could seek to develop its relationship with Iran through regional alliances rather than solely through the defaults of the E3 and the US. Dr Tabrizi noted that the UK might be able to use multilateral fora, such as the UN or the IAEA, alongside tools such as sanctions and engagement to influence Iran's behaviour⁷² and further noted that

[...] the UK should strive to adopt a balanced stance between Iran and the GCC. This would improve its image in Tehran but also increase the chances of a reduction of tensions in the region. The UK is uniquely positioned to leverage its historic links to actors in the GCC, particularly Oman and the UAE, but also Saudi Arabia, and to establish parallel channels of engagement beyond the JCPOA and EU-led discussions.⁷³

32. For some witnesses, broadening alliances within the Gulf Cooperation Council (GCC) seemed a clear opportunity to move the discussion on the nuclear issue, as well as on regional security, forward. Israel's normalisation of relations with the United Arab Emirates and Bahrain has demonstrated the importance of diplomatic engagement by the US in addressing problems in the region previously deemed intractable. It also indicates that the UK might be well placed to similarly aid the member states of the GCC in addressing their shared concerns over Iran's behaviour, despite current disagreements over a unified strategy. When we discussed the future of UK foreign policy with His Majesty King Abdullah II of Jordan, he spoke of “the UK's historic role within the Middle

66 [Q14](#) [Ellie Geranmayeh]

67 [Iran nuclear crisis: Law aims to boost enrichment and block inspectors](#), BBC News, 3 December 2020

68 [Q17](#) [Behnam Ben Taleblu]

69 [Q14](#) [Behnam Ben Taleblu]

70 [Q14](#) [Dr Sanam Vakil]

71 [Q13](#) [Dr Anicée Van Engeland]

72 [Q4](#) [Dr Aniseh Bassiri Tabrizi]

73 [Q6](#) [Dr Aniseh Bassiri Tabrizi]

East and the strong links that this has created for the UK in the region” and noted that “UK engagement in the Middle East region [...] played a constructive role in seeking to resolve regional challenges”. His Majesty attributed this to the UK’s “unique history and its understanding of the region”.⁷⁴

33. Alongside a greater focus on alliances in the Gulf, witnesses also noted that the coming months could see an opportunity for the FCDO to utilise the UK’s historical ability to bridge the US and the EU to put itself at the forefront of multilateral discussions on the future of the JCPOA, or the creation of its successor. Dr Vakil noted that there is a “unique opportunity for the UK to take the lead in bringing all parties to the negotiating table” given the UK’s work alongside the E3 and its relationship with the US.⁷⁵ And Ellie Geranmayeh noted the role the UK could play in the Middle East in the absence of international leadership:

The UK further has an important role to play in de-escalat[ing] tensions in the Middle East, particularly in places such as Iraq and Yemen where the US seems uninterested in taking a leadership role to stabilise these countries. Moreover the UK’s traditional relationship with regional partners like Saudi Arabia means it could play a very useful role in pressing Riyadh and Tehran towards regional security dialogue - again something which the Trump administration is seemingly uninterested in.⁷⁶

34. Witnesses were broadly in agreement that no groundwork has been laid for a successor to the JCPOA which could address regional security issues alongside concerns over nuclear proliferation. Dr Vakil, although in favour of a broader deal, commented that “There have been no incentives offered to Iran to open the door to negotiations and no serious discussion on what would be offered to Iran for concessions.”⁷⁷

35. We agree with the Government that its long-term goal should be to replace the JCPOA with a broader agreement which additionally addresses regional security. This must learn the lessons from last time and be held in consultation with our allies in the region, not just in Europe and the US.

36. The UK’s history in the region, and relationship with the member states of the Gulf Cooperation Council, make it uniquely placed amongst the signatories of the JCPOA to build regional and international consensus on how to meet the challenges posed by Iran’s destabilising activity. This should form a core part of any strategy going forward to improve upon the JCPOA.

37. We recommend that, in the aftermath of the Integrated Review, the Foreign Secretary makes a statement to the House to outline specifically what a replacement to the JCPOA should seek to achieve and over what timeframe. In so doing, the Foreign Secretary should address i) exactly what the UK wants to achieve from broader engagement with Iran, ii) which allies can facilitate and complement those discussions, and iii) how such an agreement will fit within the framework of the UK’s long-term strategic goals.

74 Overview of a meeting between His Majesty King Abdullah II of Jordan and the Foreign Affairs Committee of the UK Parliament on 13 July 2020 ([INR0078](#)), paras 3–4

75 [Q10](#) [Dr Sanam Vakil]

76 [Q4](#) [Ellie Geranmayeh]

77 [Q9](#) [Dr Sanam Vakil]

3 Human rights

38. Iran is identified by the FCDO as a human rights priority country for its judicial failings and lack of due process, gender inequality, and disregard for civil liberties such as freedom of expression and belief.⁷⁸ Such restrictions are epitomised by its system of governance where Iran's head of state, the Supreme Leader, wields significant political power, including over foreign policy, despite there being no practical mechanism by which to democratically remove or appoint him.⁷⁹ The Iranian system of electing the president and representatives in the *Majlis* contains some democratic elements but ultimately requires candidates to be pre-approved by the Guardian Council, a body of Islamic jurists and theologians appointed by the Supreme Leader.⁸⁰ Thousands of moderate candidates were barred from standing in the 2019 parliamentary elections as a result.⁸¹ Although the *Majlis* contains reserved positions for religious minorities,⁸² Iran overall has a poor track record on religious freedom. In his *Independent Review of FCO Support for Persecuted Christians*, the Bishop of Truro noted that Christian minorities, in particular converts, were regularly arrested, detained and imprisoned at the behest of the Iranian state.⁸³ In written evidence, Amnesty International outlined the plight of other minority groups stating that

In 2018 the Gonabadi Dervish religious minority faced a particularly vicious crackdown after a peaceful protest they held in February of that year was violently quashed. Hundreds were arrested and more than 200 were sentenced to a total of 1,080 years in prison, 5,995 lashes as well as internal “exile”, travel bans, and bans on joining political and social groups. 95 people from the Baha’i religious minority were also arbitrarily detained. In March 2020, three Ahwazi Arab prisoners, [...] were forcibly disappeared during a protest over prison condition.⁸⁴

39. Elsewhere, Iran has exerted significant control over media consumption and internet usage which, as our predecessor Committee noted in its “*Media freedom is under attack*”: *The FCO's defence of an endangered liberty* report, has played a significant role in silencing the free press.⁸⁵ In its written evidence, the BBC World Service noted that BBC Persian staff regularly suffered harassment taking various forms:

[...] arrest; detention; questioning; threats that jobs or pensions will be lost; confiscation of passports; and the spread of fake and defamatory news stories designed to undermine the reputation of staff and their families.

In July 2017, the Iranian government started criminal investigations into the activities of journalists and other staff working for BBC Persian, alleging their work constituted a crime against Iran's national security. In

78 [Human Rights and Democracy Report 2019](#), FCO, page 47–48

79 [No Matter Who Wins, Iran's Supreme Leader Controls Foreign Policy](#), Brookings, Geneive Abdo, 14 June 2013

80 [Human Rights Watch](#), Mechanisms of Exclusion, accessed 9 January 2020

81 [Iran elections: Hardliners set to sweep parliamentary polls](#), BBC News, 21 February 2020

82 [Constitution of Iran](#), page 16

83 [Independent Review of FCO Support for Persecuted Christians](#), Rt. Rev. Philip Mounstephen Bishop of Truro, 2019, page 24

84 Amnesty International ([UKI0031](#)) para 7

85 Foreign Affairs Committee, Twenty-First Report of Session 2017–19, “[Media freedom is under attack](#)”: *The FCO's defence of an endangered liberty*, HC 1920, paras 25–28

tandem, the Iranian authorities brought an injunction to freeze the assets of 152 named individuals preventing them from buying, selling or inheriting property in Iran.⁸⁶

It further noted that death threats, defamatory stories and fake images have been used to intimidate and discredit women journalists in particular.⁸⁷ A similar pattern of harassment was cited by the British Council as the reason for the cessation of its work in Iran in 2009,⁸⁸ and Iran's failure to safeguard the basic rights of the individual leaves it consistently in breach of its international human rights obligations.⁸⁹

40. Speaking broadly on the FCDO's strategy to improve human rights globally, the Foreign Secretary described a three pillared approach of "media freedom and protecting journalists, FoRB [Freedom of Religion or Belief] and Magnitsky [sanctions]."⁹⁰ When we questioned him specifically on how effective the FCDO had been in pressing Iran to improve its human rights record, the Foreign Secretary replied:

As effective as any other country dealing with Iran. They are not going to do it just because we put out communiqués, although I think they are sensitive to the reputational risk [...] It is important to keep up that pressure, along with the other things we do.⁹¹

The FCDO has challenged Iran's behaviour across a range of international fora, as detailed in its written evidence to our predecessor Committee:

[...] At the Human Rights Council in March 2019, the UK again supported the renewal of the mandate of the UN Special Rapporteur on the Situation of Human Rights in Iran. [...] In our speech to the council, the UK highlighted executions of juvenile offenders, persecution of religious and ethnic minorities in Iran, the deteriorating right to freedom of expression and a lack of media freedom. We called on Iran to drop the criminal investigations and judicial harassment of BBC Persian employees and their families. During the 2019 UN General Assembly the UK shone a spotlight on Iran's human rights record and their detention of dual nationals. The UK hosted an event with legal experts and international partners to highlight evidence of where Iran is failing to uphold its international obligations.⁹²

41. BBC Persian promotes the shared interests of free people around the world. The treatment of its staff and their families by Iran is abhorrent, and the Government is right to continue to call out these abuses in international fora.

42. Witnesses noted the difficulty in positively influencing Iran's domestic human rights agenda. Behnam Ben Taleblu ascribed the UK's poor relationship with Iran to the latter's "series of anti-western and anti-status quo choices" and advocated tackling human rights alongside nuclear proliferation and regional security in a single comprehensive

86 BBC World Service ([UKI0019](#)), p 5

87 BBC World Service ([UKI0019](#)), p 5–6

88 [British Council suspends operations in Iran after local staff 'intimidated'](#), The Guardian, Julian Borger, 5 February 2009

89 See [Ratification of 18 International Human Rights Treaties](#)

90 Oral evidence taken before the Foreign Affairs Committee on 6 October 2020, HC (2019–21) 253, [Q206](#)

91 Oral evidence taken before the Foreign Affairs Committee on 6 October 2020, HC (2019–21) 253, [Q236](#)

92 Foreign and Commonwealth Office ([UKI0005](#) [2019 Session]) para 33

negotiation rather than a patchwork of piecemeal agreements.⁹³ However, Dr Van Engeland commented that “any attempt at addressing the human rights record of Iran has usually led to more violations” and that linking uranium production with human rights improvements was unlikely to be successful.⁹⁴ Dr Vakil agreed that dialogue was needed with Iran, but also noted that it would be highly unlikely to “diplomatically engage on domestic political issues”.⁹⁵ Dr Van Engeland further noted that there might be a greater opportunity to engage directly with the Iranian people and said that

The UK is at a turning point and so is Iran. It is at time of such changes that a dialogue can happen. Educational and cultural opportunities would be key in that regard, as both countries mutually admire each other's civilisations. Educated Iranians are very keen on learning English, watching movies and series from the UK, going to the theatre, reading and other, so they are quite aware of British culture.⁹⁶

Dr Van Engeland further noted in her written evidence that

Opportunities could initially be created in the field of culture with language exchanges, art exhibition, UK student bursaries in Iran... as culture has proven to be a neutral domain for other European nations present in the country. Organising events, encouraging tourism, supporting exchanges will enable the first phase of the soft power. There are many areas in which the UK can invest financially or otherwise to sustain growth, always thinking about the creation of psychological ties.⁹⁷

43. Other witnesses were keen to emphasise that a distinction should be drawn between the Iranian state and the Iranian people. In written evidence, the Anglo-Iranian Political Prisoners Association stressed the importance of the Government gaining “the trust of Iranians if it is ever to have relations with Iran in the future” by making clear that concern is “for the country of Iran and its people, not the dictators ruling them”.⁹⁸ The Henry Jackson Society was of the same opinion and provided the following assessment:

In a testament to the UK's international cultural influence, many Iranians hold Britain in high regard for a range of different reasons such as 1980s rock music, the Premier League, the reputation of Britain's institutions of higher education and the reliability of the BBC. Alas, the views of the regime and the Iranian people are not one in the same.⁹⁹

44. We asked the Foreign Secretary what the end goal of engagement with Iran is. He replied:

[...] my instincts and my presumption are in favour of engagement. What the long-term strategy ends in is getting the right balance—not just the UK,

93 [Q1](#) [Behnam Ben Taleblu]

94 [Q17](#) [Dr Anicée Van Engeland]

95 [Q17](#) [Dr Sanam Vakil]

96 [Q1](#) [Dr Anicée Van Engeland]

97 Dr Anicée Van Engeland ([UKI0021](#)), para 19

98 Anglo-Iranian Political Prisoners Association ([UKI0016](#)), p 7

99 James Rogers and Dr Simon Waldman of The Henry Jackson Society ([UKI0007](#)) p 8

but working with our international partners—of carrots and sticks, and the regime in Iran taking the right choices based on the interests of its own people to address its behaviour, which is contrary to international law.¹⁰⁰

45. **Iran will choose to uphold those parts of international law which suit the tenets or strategic goals of the Islamic Republic while disregarding the remainder, often at the expense of the Iranian people. The FCDO has made commendable efforts to tackle Iran's human rights abuses and raise the plight of victims of Iranian oppression through international fora. *These efforts should be complemented through direct diplomacy with President Rouhani to encourage him to place human rights prominently on his domestic agenda. In particular, the freedom of BBC Persian staff to provide free quality journalism is of vital importance to Persian speakers throughout the region and should be prioritised.***

46. **The Iranian people are the victims of the poor choices made by the Iranian state, yet they are too often a secondary consideration. *The UK's strategy going forward should rebalance this oversight. For the UK-Iran relationship to be meaningful and mutually beneficial, the UK must invest in strengthening cultural ties, fostering exchanges, and building upon common values shared with the Iranian people.***

Islamic Revolutionary Guard Corps

47. Numerous witnesses described the human rights violations perpetrated by Iran's Islamic Revolutionary Guard Corps (IRGC), both against the Iranian people and as exporters of terrorism regionally and internationally.¹⁰¹ The IRGC was established in the early years of the Islamic Republic as a paramilitary force whose *raison d'être* was to safeguard the ideals of the 1979 Revolution.¹⁰² Since then, the IRGC has seen its influence expand to become a significant presence in the lives of the Iranian people, and across the region. Although smaller than the Iranian military, the IRGC boasts a significant paramilitary membership and volunteer base. It has control over strategic arms and geographic positions, including conducting patrols in the Strait of Hormuz. It is also the primary counter to domestic dissent and controls a significant stake in Iran's domestic economy.¹⁰³ Overseas, its Quds Force, led by Qasem Soleimani until his death in January 2020, is a significant exporter of arms and strategic military assistance to a patchwork of *Shia* militia groups and organisations across the region, including Hezbollah in Lebanon and the Houthi Rebels in Yemen.¹⁰⁴ By its name (*al-Quds* is Arabic for Jerusalem), the Quds force identifies itself as anti-Israeli.¹⁰⁵ However, the death of Soleimani, was welcomed by many *Sunni* and *Shia* Muslims who had particularly suffered at the hands of Iran's proxies to whom the Quds Force had channelled significant resources.¹⁰⁶

100 Oral evidence taken before the Foreign Affairs Committee on 6 October 2020, HC (2019–21) 253, [Q231](#); the importance of a goal to engagement, rather than engagement as a goal in itself was [emphasised](#) by Dr Tabrizi.

101 See for example: Kasra Aarabi ([UKI0018](#)); National Council of Resistance of Iran - UK Representative Office ([UKI0011](#)) p 5; Dr Jonathan Spyer ([UKI0020](#)) p 2; Tulip Siddiq MP ([UKI0032](#)) para 27.

102 [Iran's Revolutionary Guards](#), Council on Foreign Relations, 6 May 2019

103 [Profile: Iran's Revolutionary Guards](#), BBC News, 3 January 2020

104 [A Look At Three Decades Of Iran's Secretive Quds Force](#), Radio Free Europe/Radio Liberty, Morad Veisi, 8 January 2020

105 [The Quds force of the Iranian revolutionary guard](#), Commons Library Briefing, 30 October 2007, p 2

106 [Qassem Soleimani Haunted the Arab World](#), The Atlantic, Kim Ghattis, 3 January 2020

48. The IRGC was proscribed in its entirety as a Foreign Terrorist Organization by the US in 2019.¹⁰⁷ Witnesses were divided on whether the UK should take a similar course of action. Dr Tabrizi warned that proscription by the US had escalated tensions with Iran but had “not weakened the IRGC nor reduced its activities and influence in the region”.¹⁰⁸ However, Kasra Aarabi, took the opposite view, stating:

The case for proscription is hard to ignore. It is almost impossible to see how a constructive dialogue between the West and Iran can take place at a time when the Iranian regime is pursuing militancy via the IRGC not just in the Middle East, but also on European soil - as seen with successive foiled Iran-linked terror plots in Europe since 2017. Proscribing the IRGC would not close the door to diplomacy with Tehran. Rather, it would send a strong and clear message to Ayatollah Khamenei that the regime's militancy and terrorism which is pursued via the IRGC—including its support for UK designated terrorist groups like Hezbollah—will not be tolerated.¹⁰⁹

49. The Terrorism Act 2000 allows the Home Secretary, by affirmative order, to proscribe an organisation which “commits or participates in acts of terrorism, prepares for terrorism, promotes or encourages terrorism, or is otherwise concerned in terrorism.”¹¹⁰ Although no part of the IRGC has been proscribed under this Act, its members and activities have more broadly been the targets of UK and EU sanctions. Qasem Soleimani was designated under the terrorism and terrorist financing regime¹¹¹ and, as the Minister for the Middle East and North Africa noted in correspondence to us, there are more than 200 sanctions in place through the EU targeting Iran's ballistic missiles and nuclear activities, many of which cover the activities of the IRGC.¹¹²

50. We are satisfied that the actions of the Islamic Revolutionary Guard Corp meet the criteria for proscription in the Terrorism Act 2000 and see proscription as a logical extension of the existing restrictions placed on members of the IRGC by the EU's sanctions regime. The IRGC's philosophy and malign actions within Iran and across the region run counter to the interests of the UK and those of the Iranian people. We recommend that the Foreign Secretary works with the Home Secretary to assess the available information on the Islamic Revolutionary Guard Corps with a view to laying an order before Parliament to proscribe the IRGC in its entirety.

Consular disputes

51. Iran's extra-judicial detention of nationals of the UK, US and other western countries has its origins with the birth of the Islamic Republic. The detention by protestors in 1979 of 66 American diplomats and civilians, 52 of whom were not released until 1981, 444 days later, has had a profound influence on Iranian relations with the West, particularly the United States.¹¹³ Subsequent detentions of individuals or small groups of western

107 [Statement from the President on the Designation of the Islamic Revolutionary Guard Corps as a Foreign Terrorist Organization](#), White House, 8 April 2019

108 [Q24](#) [Dr Aniseh Bassiri Tabrizi]

109 [Q24](#) [Kasra Aarabi]

110 Terrorism Act 2000, [Section 3](#)

111 [Consolidated list of financial sanctions targets in the UK](#), Office of Financial Sanctions Implementation, accessed 7 October 2020

112 [Correspondence from the Minister of State for the Middle East and North Africa](#), 10 August 2020

113 [The 444-day Iran hostage crisis began 37 years ago](#), Anny Shin, The Washington Post, 10 November 2016

nationals have further soured relations and their cases have been fraught with difficulties. Detainees may not know the nature of the charges put to them and are often detained for several months without being sentenced.¹¹⁴ British residents with Iranian nationality are not automatically granted UK consular assistance,¹¹⁵ and Iran's non-recognition of dual nationality has been cited as a limiting factor in other cases.¹¹⁶ Significantly, some cases may be linked with bilateral disputes, or seemingly part of tit-for-tat exchanges. While the FCDO terms these matters 'consular cases', this latter characterisation has led many commentators to employ the term 'hostages'.

Support to families of detainees

52. We asked the Foreign Secretary what assistance is provided to the families of arbitrarily detained nationals and dual nationals in Iran. He stated that the FCDO

[lobbies] for release where we believe that they have been arbitrarily detained. We provide support to their families; they can contact us 24 hours a day. We raise health and welfare concerns with the Iranian Government, as we would any other, and we raise issues of mistreatment. We would do that whenever asked to, and of course we engage with the families without them formally coming to ask us. Of course, some individuals in Iran and elsewhere do not want the UK Government taking up their case on their behalf. We obviously want to respect their wishes as well.¹¹⁷

This proactive characterisation was not quite shared by Janet Daby MP, whose written evidence detailed the case of her constituent Anoosheh Ashoori, who has been detained in Iran since 2017, and which noted that his family was unaware of its eligibility for consular support until contacting the FCDO in June 2018, 10 months after Mr Ashoori's detention.¹¹⁸ Janet Daby further noted inconsistency within the FCDO on the advice offered to families of detained British and dual nationals, particularly on whether to publicise cases.¹¹⁹ Tulip Siddiq MP similarly found the FCDO unaccommodating noting the difficulties the family of her constituent Nazanin Zaghari-Ratcliffe had faced when seeking meetings with Ministers and FCDO officials in the early period of her detention.¹²⁰ Tulip Siddiq further noted that very little information was available to guide families of detained individuals through the process, or to outline what service they might expect from the FCDO, stating

The lack of established rights for British citizens being unlawfully detained abroad has been clear in this case, and has made it impossible to hold the FCO to account. An absence of any written rules means that the FCO does not need to meet any standards or requirements formally.¹²¹

53. Charlie Loudon, International Legal Adviser at REDRESS, told us that public guidance outlining how the FCDO will act on behalf of citizens detained abroad is unclear

114 [Iran's jailed dual nationals and their uncertain fate](#), BBC News, 1 October 2019

115 [UIN 208798](#) [Nazanin Zaghari-Ratcliffe and Narges Mohammadi], 15 January 2019

116 Foreign and Commonwealth Office ([UKI0031](#)), para 18

117 Oral evidence taken before the Foreign Affairs Committee on 6 October 2020, HC (2019–21) 253, [Q232](#)

118 Janet Daby MP ([UKI0030](#)), paras 3.1–3.2

119 Janet Daby MP ([UKI0030](#)), Conclusions and recommendations

120 Tulip Siddiq MP ([UKI0032](#)), para 59

121 Tulip Siddiq MP ([UKI0032](#)), para 58

and inconsistent, making it difficult for families of detainees to know what to request or expect. This is particularly concerning given the distress caused by such situations.¹²² He further stated that

[...] the FCO should commit to publishing, in the annual Human Rights and Democracy report (and subject to data protection concerns), detailed information on action taken in individual cases to protect the human rights of all British nationals detained abroad.

[...] The FCO should also revise, re-evaluate and thoroughly update the current policy on consular assistance with the aim of achieving an accessible, clear, and well-publicised policy that puts the protection of all British (including dual) nationals from human rights violations abroad at the centre. It should publish the entire Internal Guidance Documents on consular assistance and develop clear criteria for its transparent exercise.¹²³

54. In 2019, the FCDO commissioned a review into the department's handling of complex consular cases. The review was conducted by Dame Judith MacGregor and focused on how the department balances the needs of the individual with the needs of the bilateral relationship, and on the process by which families are informed of actions taken while sensitive details are protected.¹²⁴ The review makes several important recommendations, including the establishment of a task force approach to properly handle the most sensitive cases and determine the parameters of Ministerial involvement.¹²⁵ Despite being completed in June 2019, the review was not made public until it was deposited in the House of Commons Library in November. In his covering letter, Nigel Adams, the Minister of State for Asia, endorsed the review's key findings and recommendations and noted that implementation was in progress.¹²⁶

55. The MacGregor Review offers the single best insight into the changes which need to be made within the FCDO to better equip it to deal with complex 'consular cases'. We welcome the Government's commitment to its recommendations but are concerned that this undertaking comes over a year since the review was finalised. We recommend that the FCDO continues to implement the recommendations of the MacGregor Review and provides the Committee with annual updates on its progress.

Strategy to secure release of detainees

56. In its written evidence, the FCDO made clear that the strategies employed to secure the release of detained nationals vary by case.¹²⁷ The intricacies of the negotiations and representations conducted by the FCDO in the pursuit of justice for detainees are rightly withheld from public consumption, but the FCDO noted that it makes requests for consular access to detained nationals where it is not automatically provided, such as with dual nationals.¹²⁸ Another tactic has been to accord the detainee diplomatic protection,

122 [Q22](#) [Charlie Loudon]

123 [Q22](#) [Charlie Loudon]

124 [Correspondence from the Minister of State for Asia](#), 19 November 2020

125 [Review of Complex Consular Cases](#), House of Commons Library

126 [Correspondence from the Minister of State for Asia](#), 19 November 2020

127 Foreign and Commonwealth Office ([UKI0031](#)), para 18

128 Foreign and Commonwealth Office ([UKI0031](#)), para 18

although this has been dismissed by Iran when used for dual nationals.¹²⁹¹³⁰ Tulip Siddiq MP noted that despite the FCDO's efforts to negotiate the release of Nazanin Zaghari-Ratcliffe, no real progress was made until covid-19 enabled her to be released on furlough.¹³¹ The limited range of options available was highlighted in October 2019 by Dr Andrew Murrison, the then Minister for the Middle East and North Africa, who stated:

[...] it is a sad fact that the tools in our toolbox are limited. What we can do is continue to make it clear to our interlocutors that this is not acceptable, right or proper, and that if Iran wants to restore its reputation, the early release of Nazanin and other dual nationals will go a very long way.¹³²

57. The FCDO's current approach to consular disputes is clearly not working. The Key Performance Indicator remains the unconditional and timely release of detained nationals. In this, the range of tools on offer is entirely ineffectual and requires revision. The FCDO needs to acknowledge this and use it as a basis for working with allies to develop an effective strategy which will adequately safeguard British citizens.

'Hostages', not 'consular cases'

58. The principal part of international law concerned with hostage taking is the International Convention Against the Taking of Hostages, which came into force in 1983. Article 1 of the convention defines the offence of hostage taking.¹³³

Any person who seizes or detains and threatens to kill, to injure or to continue to detain another person (hereinafter referred to as the "hostage") in order to compel a third party, namely a State, an international intergovernmental organization, a natural or judicial person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage commits the offence of taking hostages ("hostage-taking") within the means of this Convention.

59. The FCDO has rightly stated that the detention of British and dual nationals by Iran falls outside the parameters of the Convention which was clearly designed for the specific purpose of combatting *individual* hostage-takers, rather than state-backed actors.¹³⁴ Nevertheless, witnesses understandably drew parallels between the motives of individual hostage-takers, as defined by the Convention, and those which have been expressed by members of the Iranian executive. Janet Daby MP argued that the case of Anoosheh Ashoori seemed commensurate with Iran's strategy of "hostage diplomacy"¹³⁵ and Tulip Siddiq MP additionally noted that Mrs Zaghari-Ratcliffe has repeatedly been told that her unlawful detention since 2016 is linked to the UK's historic International Military Services (IMS) debt owed to Iran.¹³⁶ Indeed, Zaghari-Ratcliffe's husband has referred to her as a hostage, as has her legal team.¹³⁷ The FCDO has been conspicuous in its reluctance

129 [Foreign Secretary affords Nazanin Zaghari Ratcliffe diplomatic protection](#), FCO, 7 March 2019

130 [Iran rejects UK claim of diplomatic status for Zaghari-Ratcliffe](#), The Guardian, Patrick Wintour, 8 March 2019

131 Tulip Siddiq MP ([UK10032](#)), para 25

132 HC Deb, 7 October 2019, col 1570

133 [International Convention Against the Taking of Hostages](#), United Nations, accessed 8 September 2020

134 Foreign and Commonwealth Office ([UK10031](#)), para 18

135 Janet Daby MP ([UK10030](#)), para 5.1

136 Tulip Siddiq MP ([UK10032](#)), paras 12–13

137 [Q18 \[Charlie Loudon\]; Nazanin Zaghari-Ratcliffe 'held hostage' by Iran, says husband](#), The Guardian, Patrick Wintour, 9 September 2020

to refer to Nazanin Zaghari-Ratcliffe as a hostage, and a spokesperson for the then Prime Minister Theresa May stated in 2017 that the IMS debt was not being linked with efforts to secure Zaghari-Ratcliffe's release.¹³⁸

60. Witnesses involved with some of the higher-profile detentions of UK and dual nationals by Iran were keen to highlight the benefits which might be gained in defining the term. Charlie Loudon from REDRESS, which has acted on behalf of Nazanin Zaghari-Ratcliffe since 2016, commented on the issue of 'State Hostage Taking':

The US has been successful in securing releases despite having a particularly poor relationship with Iran. The US has a stronger legal framework, having recently enacted the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act, which empowers the federal government to challenge hostage taking of its nationals. The US also has more targeted leadership structures to tackle this issue, including a Special Presidential Envoy on Hostage Affairs and a Hostage Fusion Cell for coordinating across government sectors. The UK does not currently have such structures. The US government has also been willing to use the term 'hostage taking'. This is in contrast to the UK, which strictly refers to and treats state held hostages as regular 'consular cases'.¹³⁹

61. Charlie Loudon was measured in characterising other countries as more or less successful than the UK and noted that while that might appear to be an accurate assessment, "There is a lack of authoritative publicly available data on the different success rates".¹⁴⁰ Other witnesses were similarly sceptical that the US or Australia should be unequivocally characterised as 'more successful' than the UK. Dr Vakil noted that the US had been successful at negotiating the release of US nationals, but not dual nationals, and that Australia still had unresolved cases.¹⁴¹ Dr Van Engeland similarly emphasised that "there are still Australian, US and French citizens detained" but nonetheless described it as "striking" that the UK had recently seen several of its citizens and dual nationals detained.¹⁴²

62. Regardless of international comparisons, Charlie Loudon noted that "[a]vailable evidence gives a clear indication that the UK's method has not worked so far, and that the UK needs to rethink its approach and work with other countries to better address Iranian hostage taking".¹⁴³ The sentiment was shared by Dr Vakil who stated that the UK "should be more proactive and find opportunities to negotiate with Iran specifically delinking the issue of dual nationals from other security challenges".¹⁴⁴ As a specific remedy, Tulip Siddiq MP suggested that

These problems are all the more likely at a time when authoritarianism is on the rise around the world and international law is increasingly being

138 [Britain denies £400 million debt to Iran linked to bid to free jailed aid worker](#), Reuters, Guy Faulconbridge, Paul Sandle, 16 November 2017

139 [Q23](#) [Charlie Loudon]

140 [Q23](#) [Charlie Loudon]

141 [Q23](#) [Dr Sanam Vakil]

142 [Q23](#) [Dr Anicée Van Engeland]

143 [Q23](#) [Charlie Loudon]

144 [Q23](#) [Dr Sanam Vakil]

challenged [...] HMG should be using its role on the world stage to forcefully call-out state hostage-taking and push for international agreements to curtail it.¹⁴⁵

63. The framework within which action over arbitrarily detained nationals can be taken is severely limited. The UK is not alone in not officially recognising the phenomenon of ‘State Hostage Taking’, but the FCDO should acknowledge that Iran’s transactional approach to diplomacy typifies a growing challenge democracies face when engaging with some autocracies. Calling ‘State Hostage Taking’ out for what it is and taking the lead in shaping a united international response would help yield additional tools to counter this behaviour. *The FCDO should use the UK’s position at the UN to establish an ad hoc Committee to draft a complementary stand-alone addition to the 1979 Hostages Convention which defines ‘State Hostage Taking’ and prohibits its practice.*

Human rights sanctions

64. Our predecessor Committee reported on the UK’s sanctions policy after Brexit and explored the possibility of using Magnitsky sanctions against human rights abusers.¹⁴⁶ The Foreign Secretary announced the UK’s first round of Magnitsky-style sanctions in July 2020 against nationals of Russia, Saudi Arabia, Myanmar and North Korea.¹⁴⁷ Iran was notable by its absence, particularly as the international community is aware of many individuals within Iran known to have committed human rights abuses.¹⁴⁸ Behnam Ben Taleblu told us that

Global Magnitsky sanctions can and should be used to punish those engaged in human rights violations or gross acts of government corruption. [...] The exact scale and scope of the penalty can be highlighted when being issued, and should remain in place until the behavior—in this case the detention of UK nationals—ceases by the relevant authority.¹⁴⁹

The assessment was shared by Charlie Loudon who noted that “Magnitsky sanctions are well-suited to supporting behavioural change”.¹⁵⁰ However, Dr Van Engeland took the opposite view, noting that sanctions could increase scrutiny on human rights but would be resented by already heavily sanctioned Iranians who would not draw an obvious link between sanctions and detained British and dual nationals.¹⁵¹ The Minister for the Middle East and North Africa, James Cleverly MP, noted in correspondence to us in August that the FCDO would “continue to designate under the Global Human Rights Sanctions Regulations” and stressed the importance of ensuring “that all designations are underlined by a robust evidence case, ensuring that legal tests and policy objectives are met” but would not be drawn further.¹⁵²

145 Tulip Siddiq MP ([UKI0032](#)), para 65

146 Foreign Affairs Committee, Seventeenth Report of Session 2017–19, [Fragmented and incoherent: the UK’s sanctions policy](#), HC 1703, paras 11–19

147 [UK announces first sanctions under new global human rights regime](#), FCO, 6 July 2020

148 [Report to Congress List of Persons Who Are Responsible for or Complicit in Certain Human Rights Abuses in Iran](#), US Department of State, 1 June 2020

149 [Q18](#) [Behnam Ben Taleblu]

150 [Q18](#) [Charlie Loudon]

151 [Q18](#) [Dr Anicée Van Engeland]

152 [Correspondence from the Minister of State for the Middle East and North Africa](#), 10 August 2020

65. Iran's human rights record and selective commitment to upholding international law is a threat to the rules based international system generally, and a key challenge faced when aiding detained nationals specifically. The FCDO has admirably used international fora to exert pressure on Iran and to encourage a behaviour change, but a country which does not respect international norms will never be embarrassed into compliance. The time has come for a more robust approach. *For its next round of Magnitsky-style sanctions, we recommend that the FCDO prioritises building watertight cases against human rights abusers based in Iran or acting for it abroad, including those involved in the arbitrary detention of UK and dual nationals.*

4 Conclusions

66. The UK has been most successful at securing its objectives vis-à-vis Iran when it has committed to a long-term strategy alongside international partners. However, the UK's relationship with Iran is bigger than Iran's nuclear violations, malign regional activity, or human rights abuses. It is also a relationship between cultures and peoples and the story of their shared interests. Consequently, the FCDO should be prepared to accept that the UK's existing relationships with the E3 and US, while important, cannot offer the fullest structure for diplomacy. The FCDO needs a renewed focus on understanding the motivations behind the actions of the Iranian State, and a clear effort needs to be made to differentiate between the Iranian State and the Iranian people.

67. Over the course of millennia, Persians have made significant contributions regionally and internationally to science, culture, poetry, maths and philosophy. The UK's difficult relationship with the Islamic Republic has overshadowed its much longer relationship with Persia and the common ground values Britons share with Iranians. While it remains the right of the Iranian people to determine how they are governed, it equally remains the responsibility of the UK to call the Iranian State out for its human rights abuses where it falls short of international expectations.

68. Engagement with Iran should not be an end goal in and of itself. Rather, engagement should seek to encourage Iran to play a positive, constructive and predictable role as a regional power, which uses international norms, respect for human rights and the rule of law as the basis for its actions. At its heart, a strategy must send a clear message: that Iran's destabilising activities are unacceptable because they adversely impact the region and its peoples, but that when the time comes, the door is open to diplomacy.

Conclusions and recommendations

Future of the Nuclear Deal

1. Disunity in addressing the nuclear issue, especially between the US and the E3, has not served the UK's interests. Instead, it has disincentivised Iranian engagement with the West and presented an opportunity for Russia and China to pursue their respective agendas in the Middle East. In the absence of decisive leadership and multilateral cooperation going forward, there is a risk that Iran will turn further to Russia and China for the economic relief they can each offer at a knock-down political price. (Paragraph 15)
2. A significant weakness of UN Security Council Resolution 2231 was its failure to prohibit Iran from developing ballistic missiles capable of delivering nuclear warheads. In a treaty fundamentally designed to deliver non-proliferation assurances, it is entirely reasonable that the JCPOA should place a binding restriction on Iran from developing such missiles. (Paragraph 19)
3. Iran could be more forthcoming when granting access for IAEA inspections. Additionally, Iran has publicly stated it would not allow inspection of military sites, despite such visits falling within the terms of the JCPOA. These actions undermine political confidence in the nuclear deal, so additional penalties or provisions could be introduced to encourage a behaviour change. (Paragraph 21)
4. Annex I, Section Q, paragraph 78 of the JCPOA does not set out a definitive timetable for action in a potential period between non-compliance with the Joint Commission and the snapback of sanctions. This lack of clarity has proved contentious. Clarifying this section of the agreement would help to satisfy all parties that impediments to the IAEA's access can be addressed within defined and reasonable parameter and could also serve as a useful confidence building measure. (Paragraph 22)
5. Given the historically covert nature of Iran's nuclear programme, the lack of good faith it has shown in supporting the free and timely inspection efforts of the IAEA, and recent evidence indicating the military dimensions to its nuclear efforts of the early 2000s, we find it hard to envisage a time when an Iranian nuclear programme will have widespread support in the region. (Paragraph 24)
6. We agree with the Foreign Secretary that the nuclear deal is imperfect, but Iran's non-compliance over the last year has indicated what the nuclear proliferation implications of terminating the JCPOA without a viable replacement might be. A more satisfactory arrangement for all signatories is within reach but is not guaranteed. *We recommend that the Government takes the lead amongst the E3 in discussions in the New Year with the incoming US Administration on the future of the JCPOA. It should aim to bring all parties back into full compliance and address the concerns of Gulf allies initially overlooked by the JCPOA, specifically;*
 - i) *Ballistic missiles capable of delivering nuclear warheads;*
 - ii) *Sunset clauses;*

- iii) *Timely and public compliance with International Atomic Energy Agency inspection requests; and*
- iv) *International Atomic Energy Agency inspection of undeclared nuclear sites and material.*

The Government should be prepared to work with European and American partners to invoke the snapback of sanctions if full compliance is not achieved. (Paragraph 25)

7. We agree with the Government that its long-term goal should be to replace the JCPOA with a broader agreement which additionally addresses regional security. This must learn the lessons from last time and be held in consultation with our allies in the region, not just in Europe and the US. (Paragraph 35)
8. The UK's history in the region, and relationship with the member states of the Gulf Cooperation Council, make it uniquely placed amongst the signatories of the JCPOA to build regional and international consensus on how to meet the challenges posed by Iran's destabilising activity. This should form a core part of any strategy going forward to improve upon the JCPOA. (Paragraph 36)
9. *We recommend that, in the aftermath of the Integrated Review, the Foreign Secretary makes a statement to the House to outline specifically what a replacement to the JCPOA should seek to achieve and over what timeframe. In so doing, the Foreign Secretary should address i) exactly what the UK wants to achieve from broader engagement with Iran, ii) which allies can facilitate and complement those discussions, and iii) how such an agreement will fit within the framework of the UK's long-term strategic goals. (Paragraph 37)*

Human Rights

10. BBC Persian promotes the shared interests of free people around the world. The treatment of its staff and their families by Iran is abhorrent, and the Government is right to continue to call out these abuses in international fora. (Paragraph 41)
11. Iran will choose to uphold those parts of international law which suit the tenets or strategic goals of the Islamic Republic while disregarding the remainder, often at the expense of the Iranian people. The FCDO has made commendable efforts to tackle Iran's human rights abuses and raise the plight of victims of Iranian oppression through international fora. *These efforts should be complemented through direct diplomacy with President Rouhani to encourage him to place human rights prominently on his domestic agenda. In particular, the freedom of BBC Persian staff to provide free quality journalism is of vital importance to Persian speakers throughout the region and should be prioritised. (Paragraph 45)*
12. The Iranian people are the victims of the poor choices made by the Iranian state, yet they are too often a secondary consideration. *The UK's strategy going forward should rebalance this oversight. For the UK-Iran relationship to be meaningful and mutually beneficial, the UK must invest in strengthening cultural ties, fostering exchanges, and building upon common values shared with the Iranian people. (Paragraph 46)*

13. We are satisfied that the actions of the Islamic Revolutionary Guard Corp meet the criteria for proscription in the Terrorism Act 2000 and see proscription as a logical extension of the existing restrictions placed on members of the IRGC by the EU's sanctions regime. The IRGC's philosophy and malign actions within Iran and across the region run counter to the interests of the UK and those of the Iranian people. *We recommend that the Foreign Secretary works with the Home Secretary to assess the available information on the Islamic Revolutionary Guard Corps with a view to laying an order before Parliament to proscribe the IRGC in its entirety.* (Paragraph 50)
14. The MacGregor Review offers the single best insight into the changes which need to be made within the FCDO to better equip it to deal with complex 'consular cases'. We welcome the Government's commitment to its recommendations but are concerned that this undertaking comes over a year since the review was finalised. *We recommend that the FCDO continues to implement the recommendations of the MacGregor Review and provides the Committee with annual updates on its progress.* (Paragraph 55)
15. The FCDO's current approach to consular disputes is clearly not working. The Key Performance Indicator remains the unconditional and timely release of detained nationals. In this, the range of tools on offer is entirely ineffectual and requires revision. The FCDO needs to acknowledge this and use it as a basis for working with allies to develop an effective strategy which will adequately safeguard British citizens. (Paragraph 57)
16. The framework within which action over arbitrarily detained nationals can be taken is severely limited. The UK is not alone in not officially recognising the phenomenon of 'State Hostage Taking', but the FCDO should acknowledge that Iran's transactional approach to diplomacy typifies a growing challenge democracies face when engaging with some autocracies. Calling 'State Hostage Taking' out for what it is and taking the lead in shaping a united international response would help yield additional tools to counter this behaviour. *The FCDO should use the UK's position at the UN to establish an ad hoc Committee to draft a complementary stand-alone addition to the 1979 Hostages Convention which defines 'State Hostage Taking' and prohibits its practice.* (Paragraph 63)
17. Iran's human rights record and selective commitment to upholding international law is a threat to the rules based international system generally, and a key challenge faced when aiding detained nationals specifically. The FCDO has admirably used international fora to exert pressure on Iran and to encourage a behaviour change, but a country which does not respect international norms will never be embarrassed into compliance. The time has come for a more robust approach. *For its next round of Magnitsky-style sanctions, we recommend that the FCDO prioritises building watertight cases against human rights abusers based in Iran or acting for it abroad, including those involved in the arbitrary detention of UK and dual nationals.* (Paragraph 65)

Conclusions

18. The UK has been most successful at securing its objectives vis-à-vis Iran when it has committed to a long-term strategy alongside international partners. However, the UK's relationship with Iran is bigger than Iran's nuclear violations, malign regional activity, or human rights abuses. It is also a relationship between cultures and peoples and the story of their shared interests. Consequently, the FCDO should be prepared to accept that the UK's existing relationships with the E3 and US, while important, cannot offer the fullest structure for diplomacy. The FCDO needs a renewed focus on understanding the motivations behind the actions of the Iranian State, and a clear effort needs to be made to differentiate between the Iranian State and the Iranian people. (Paragraph 66)
19. Over the course of millennia, Persians have made significant contributions regionally and internationally to science, culture, poetry, maths and philosophy. The UK's difficult relationship with the Islamic Republic has overshadowed its much longer relationship with Persia and the common ground values Britons share with Iranians. While it remains the right of the Iranian people to determine how they are governed, it equally remains the responsibility of the UK to call the Iranian State out for its human rights abuses where it falls short of international expectations. (Paragraph 67)
20. Engagement with Iran should not be an end goal in and of itself. Rather, engagement should seek to encourage Iran to play a positive, constructive and predictable role as a regional power, which uses international norms, respect for human rights and the rule of law as the basis for its actions. At its heart, a strategy must send a clear message: that Iran's destabilising activities are unacceptable because they adversely impact the region and its peoples, but that when the time comes, the door is open to diplomacy. (Paragraph 68)

Formal minutes

Tuesday 8 December 2020

Members present:

Tom Tugendhat, in the Chair

Chris Bryant

Bob Seely

Neil Coyle

Royston Smith

Alicia Kearns

Graham Stringer

Stewart Malcolm McDonald

Claudia Webbe

Draft Report (*No prosperity without justice: the UK's relationship with Iran*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 68 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till Tuesday 15 December at 1.45pm]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Monday 22 June–Friday 3 July 2020

Due to constraints on parliamentary business caused by the covid-19 pandemic, over a two-week period the Committee put questions to witnesses in an online evidence forum to replace the three oral evidence hearings which had been scheduled to inform this inquiry

Kasra Aarabi, Analyst, Tony Blair Institute for Global Change; **Dr Aniseh Bassiri Tabrizi**, Senior Research Fellow, Royal United Services Institute; **Behnam Ben Taleblu**, Senior Fellow, Foundation for Defense of Democracies; **Ellie Geranmayeh**, Deputy Director, Middle East and North Africa programme, European Council on Foreign Relations; **Charlie Loudon**, International Legal Adviser, REDRESS; **Rana Rahimpour**, Presenter, BBC Persian; **Dr Sanam Vakil**, Deputy Director and Senior Research Fellow, Middle East and North Africa Programme, Chatham House; **Dr Anicée Van Engeland**, Senior Lecturer in International Security, Cranfield University

[Q1–30](#)

Tuesday 6 October 2020

Rt Hon Dominic Raab MP, Secretary of State for Foreign, Commonwealth and Development Affairs

[Q121–250](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

UKI numbers are generated by the evidence processing system and so may not be complete.

- 1 Amnesty International UK ([UKI0031](#))
- 2 Anglo-Iranian Professionals Association (Mr Sina Adhami, Policy Adviser) ([UKI0008](#))
- 3 Anglo-Iranian Political Prisoners Association (Mr Ahmad Ebrahimi, Co_ president) ([UKI0016](#))
- 4 Bassiri Tabrizi, Dr Aniseh ([UKI0026](#))
- 5 BBC World Service (Ms Julia Harris, Public Affairs Manager) ([UKI0019](#))
- 6 British Committee for Iran Freedom (BCFIF) (Rt Hon David Jones MP, prominent member) ([UKI0015](#))
- 7 British Iranian Chamber of Commerce (BICC) (Lord Lamont of Lerwick, Chairman) ([UKI0013](#))
- 8 Community Security Trust (Mr Jonathan Newton, Head of Government Relations and External Affairs) ([UKI0003](#))
- 9 Conservative Friends of Israel (Rt. Hon. Stephen Crabb MP, Parliamentary Chairman in the House of Commons) ([UKI0024](#))
- 10 Daby, MP Janet ([UKI0030](#))
- 11 Dalton KCMG, Sir Richard ([UKI0012](#))
- 12 Foreign and Commonwealth Office ([UKI0033](#))
- 13 Friends of Israel Initiative (Mr Davis Lewin, Associate Director) ([UKI0023](#))
- 14 Geranmayeh, Ellie ([UKI0012](#))
- 15 Goldberg, Mr. Richard ([UKI0009](#))
- 16 Higginson, Mr Roger ([UKI0001](#))
- 17 Hillingdon, Dr Anna ([UKI0006](#))
- 18 House of Commons (Tulip Siddiq, MP) ([UKI0032](#))
- 19 Jewish Leadership Council (Mr Russell Langer, Public Affairs Manager) ([UKI0005](#))
- 20 Lamont of Lerwick, Lord ([UKI0014](#))
- 21 Link for Freedom Foundation (Rosalind Topping, Programme Director) ([UKI0017](#))
- 22 Middle East and North Africa Forum (Mr Jay Mens, Director) ([UKI0025](#))
- 23 The National Council of Resistance of Iran—UK Representative Office (Mr Hossein Abedini, Deputy Director) ([UKI0011](#))
- 24 Piotrowicz, Professor Ryszard ([UKI0002](#))
- 25 Redress (Mr Charlie Loudon, International Legal Adviser) ([UKI0022](#))
- 26 Rogers, Mr James ([UKI0007](#))
- 27 Shadow World Investigations (Andrew Feinstein, Executive Director) ([UKI0029](#))
- 28 Spyer, Dr Jonathan ([UKI0020](#))
- 29 Stricker, Ms. Andrea ([UKI0010](#))

34 No prosperity without justice: the UK's relationship with Iran

30 Taleblu, Mr. Behnam ([UKI0010](#))

31 Tony Blair Institute for Global Change (Mr Kasra Aarabi, Analyst on Iran and Shia Islamist Extremism) ([UKI0018](#))

32 Van Engeland, Dr Anicee ([UKI0021](#))

33 Waldman, Dr Simon ([UKI0007](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

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1st	Viral Immunity—The FCO's role in building a coalition against COVID-19	HC 239
2nd	Merging success: Bringing together the FCO and DFID	HC 525
3rd	Flying Home: The FCO's consular response to the COVID-19 pandemic	HC 643
4th	A brave new Britain? The future of the UK's international policy	HC 380
1st Special	A cautious embrace: defending democracy in an age of autocracies: Government Response to the Committee's Second Report of Session 2019	HC 116
2nd Special	"Media freedom is under attack": The FCO's defence of an endangered liberty: Government Response to the Committee's Twenty-First Report of Session 2017–19	HC 269
3rd Special	Viral Immunity—The FCO's role in building a coalition against COVID-19: Government Response to the Committee's First Report	HC 449
4th Special	Global Britain and South America: Government Response to Committee's Twentieth Report of Session 2017–19	HC 669
5th Special	Responding to irregular migration: A diplomatic route: Government Response to Committee's First Report of Session 2019	HC 670
6th Special	Merging success: Bringing together the FCO and DFID : Government Response to Committee's Second Report	HC 809