



House of Commons  
Foreign Affairs Committee

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**No prosperity without  
justice: the UK's  
relationship with Iran:  
Government Response  
to Committee's Fifth  
Report**

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**Ninth Special Report of Session  
2019–21**

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## The Foreign Affairs Committee

The Foreign Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Foreign and Commonwealth Office and its associated public bodies.

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# Ninth Special Report

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On 16 December 2020, the Foreign Affairs Committee published its Fifth Report of Session 2019–21, [No prosperity without justice: the UK's relationship with Iran](#) (HC 415). The Government's response was received on 16 February 2021 and is appended below.

## Appendix: Government Response

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### Introduction

The Government welcomes the opportunity to respond to the Foreign Affairs Committee's report on the UK's relationship with Iran, published 16 December 2020.

The UK Government's priority remains to prevent Iran from acquiring a nuclear weapons capability, to promote stability and security in the region, secure the release of our dual-nationals, and to keep the diplomatic door open for discussions across the full range of UK interests. The UK Government will also continue to hold Iran to account for its human rights record. The Committee makes several recommendations and conclusions that support this approach, which we welcome.

The Government takes careful note of the Committee's specific recommendations on thematic priority areas. The UK approach is based on a combination of engagement, pressure, and incentives, and is delivered bilaterally, with partners, and multilaterally. We want a stronger UK-Iran relationship that supports our priorities. In calibrating our policy, we must take into account how each policy choice might influence other objectives and consider our approach holistically if we are to achieve our objectives. We look forward to engaging with the Committee in more detail on the UK approach.

This paper sets out the Government's response to each of the Committee's conclusions and recommendations. The Committee's text is in bold and the Government's response is in plain text.

### 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)

After the US withdrawal, we still shared the strategic aim of preventing Iran from acquiring nuclear weapons, but we disagreed on how best to achieve it. We believe that an aligned international diplomatic effort is essential if we are to succeed in our shared goal. The UK looks forward to working closely with the Biden Administration on this. E3 unity and commitment to the JCPoA has remained strong and consistent. We work tirelessly with our French and German partners to protect the benefits of the deal, including through triggering the DRM and using Joint Commission meetings to press Iran to return to its

JCPoA commitments. Russia and China share our goal of ensuring the exclusively peaceful nature of the Iranian nuclear programme, as well as an agreed framework through the JCPoA to achieve it.

President Biden has said that if Iran returns to compliance the US would re-enter the agreement and seek to both strengthen it and extend it. We welcome this commitment, and look forward to working closely to achieve these aims. All participants to the JCPoA, including Russia, China and Iran, agreed on 21 December 2020 to engage positively with the prospect of US re-entry to the deal and to make a joint effort to achieve this objective. It is in all our interests to address this jointly through the JCPoA framework and there is a real opportunity for international diplomacy to deliver our shared interests on the Iranian nuclear file.

**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)**

UNSCR 2231 was passed unanimously with the full support of the Security Council. Stronger restrictions on the development of ballistic missiles would have been a desirable feature of the agreement from a UK perspective, but UNSCR 2231 and the JCPoA, like all international agreements, is a finely balanced compromise and the product of extensive multi-year negotiations. We have serious concerns about Iran's ballistic missile programme, and we urge Iran to cease developing its programme and fully abide by UNSCR 2231 which 'calls on Iran not to undertake activities related to ballistic missiles designed to be capable of delivering a nuclear weapon'.

In terms of wider, regional, proliferation concerns, the unanimous adoption of UNSCR 1540 prohibits all States, including Iran, from facilitating the acquisition of WMD and associated delivery systems by non-state actors. The resolution also requires all States to adopt and enforce appropriate laws to this effect. The UK has reiterated concern about Iran's destabilising activity around the Middle East, including continued Iranian transfer of missiles to armed groups, in violation of UNSC resolutions 2216 and 1540. Such proliferation is destabilising for the region and escalates already high tensions; it must stop.

**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)**

We take considered note of the Committee's recommendation. We agree on the importance of IAEA access. The UK is clear that Iran must provide full access to the IAEA in line with its commitments under the JCPoA and fulfil its obligations under the NPT Safeguards Agreement and Additional Protocol. We strongly support the professional and impartial role of the IAEA in providing enhanced monitoring and verification of these commitments, which is essential to securing international and regional confidence in the exclusively peaceful nature of Iran's nuclear programme.

We are deeply concerned by the law passed by the Iranian Parliament on 2 December 2020, which—if implemented—would limit IAEA access. We expressed our concern with E3 partners in a statement on 7 December and pressed this at the JCPoA ministerial meeting on 21 December. The law would be incompatible with the JCPoA and we urge Iran to continue provisionally to implement its Additional Protocol and co-operate with the IAEA on all outstanding safeguarding issues, including providing timely and full responses to all IAEA requests for information and access. To do otherwise, would undermine the opportunity to preserve the JCPoA that the new US Administration has offered.

**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)**

Annex I, Section Q, paragraph 78 of the JCPoA sets out the timelines for resolving JCPoA access issues between Iran and the IAEA as follows: if Iran and the IAEA cannot resolve an access issue, it should be referred to the Joint Commission within 14 days of the IAEA's original request for access; Joint Commission consultation should not exceed 7 days; and Iran should implement agreed access measures within 3 additional days. We note the committee's view that the timelines for resolving IAEA access issues set out in this paragraph are not clear.

Iran's continued non-compliance with its commitments under the JCPoA is deeply concerning and seriously undermines the non-proliferation benefits of the agreement. That is why the UK, France and Germany initiated the agreement's Dispute Resolution Mechanism, set out in paragraph 36 of the JCPoA, on 14 January 2020 as one of the last tools within the terms of the JCPoA to preserve the agreement and bring Iran back into compliance.

The E3 have pressed these concerns in Joint Commission and ministerial meetings in 2020, and urge Iran to seriously engage on a roadmap back to compliance in early 2021.

**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)**

We note the committee's conclusion. Under the terms of the JCPoA Iran has the most comprehensive set of IAEA monitoring and verification arrangements of any country. IAEA inspectors 'days in the field' are up over 100% under the JCPOA when compared against pre-JCPOA Comprehensive Safeguards only arrangements. Through application of the Additional Protocol, the IAEA benefits from broader access to information and can conduct complementary access to any location in Iran.

We are clear that Iran must fully cooperate with the IAEA, including on issues related to the IAEA's separate safeguards investigation. This includes providing timely and full responses to all IAEA requests for information and access. Doing so is both an obligation and essential to assuring the international community and the region of the exclusively peaceful nature of Iran's nuclear programme.

**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)

We agree with the Committee that it would not be in the UK's interests to terminate the agreement without a viable replacement; we need to see Iran return to compliance with its JCPOA commitments. We have worked tirelessly to preserve the agreement and welcome the prospect of a return of the US to the deal. The UK will work closely with our E3 partners and with the new US Administration to deliver renewed transatlantic unity on this issue, which is in all our interests. We also remain committed to engage closely with all parties in the region, in order to address the serious regional security concerns. We note the Committee's recommendations in relation to addressing the concerns related to ballistic missiles, sunset clauses and cooperation with the IAEA. We have welcomed President Biden's desire to return to the JCPOA and to explore the possibility of lengthening and strengthening the deal.

**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)

The Government has never said that its long-term goal is to "replace" the JCPOA. We have been clear that the JCPOA is not perfect, and that it was not designed to address the full spectrum of regional security issues. However, before the US withdrawal in 2018 and Iran's systematic non-compliance began in 2019, it did successfully address our nuclear concerns. As we look forward, both Iran's nuclear programme and its destabilising behaviour in the region need to be addressed. We agree that consultation across the Middle East region

will be critical to the success of any long-term effort to tackle regional security concerns. We will need to deploy a range of tools to deliver these goals; and our approach should be grounded in realism about what is most likely to work.

We agree with the Committee that it is important to learn lessons. The Government will continue to take into account the full range of available evidence when developing and implementing its policy on Iran.

**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)**

The Government has been clear on the need to address Iran's destabilising regional behaviour, and we note the Committee's recommendation that this should form a core part of any strategy to improve upon the JCPOA. Our priority remains to promote security and stability in the region and we will continue to engage with all sides and all options to that end. Any long-term sustainable solution will require the support not just of the Gulf Cooperation Council but also other regional actors including Iran. We remain deeply concerned at Iran's destabilising activity throughout the region, including its political, financial and military support to a number of militant and proscribed groups, including the Houthis, Hezbollah and Shia Militia Groups, and we are committed to working with regional partners, the E3 and the US to find a sustainable solution to Iranian proliferation and wider destabilising activity.

We agree that the UK is well placed to engage closely with members of the Gulf Cooperation Council to help build regional and international consensus and we continue to do so.

**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)**

The Foreign Secretary will update the House when it is appropriate to do so and when doing so will address all relevant issues, including the development and implementation of the Government's policy on Iran.

## 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)**

We welcome the Committee's conclusion. Attacks against BBC Persian employees/families and threats towards an entirely legitimate media organisation are deeply concerning. We raise this harassment regularly with the Iranian government, as well as at the Human Rights Council. We will continue to defend BBC Persian's editorial independence.

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)

We welcome the Committee's recognition of the FCDO's work to address human rights issues in Iran. We will continue to make clear to the Iranians our concerns at their persistent violations of human rights, and will keep up the pressure, including through our engagement with Iran's president. We will continue to defend media freedom, including BBC Persian's editorial independence, in the course of this engagement.

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)

We agree with the Committee that enhancing cultural and other people-to-people ties between the UK and Iran would be of mutual benefit. We have consistently supported such exchanges. The UK has not erected any barriers to such exchanges taking place. We deeply regret Iran's unjustifiable criminalisation of cooperation with the British Council. The Government continues to provide support and advice to the Council, and defends it repeatedly at the highest levels in Iran.

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)

The Government takes careful note of the Committee's recommendation. We share the Committee's deep concern at the regional activities of the IRGC.

The IRGC in its entirety is subject to UK autonomous sanctions under the Iran (Sanctions) (Nuclear) (EU Exit) Regulations 2019. Legislation allows for an organisation to be proscribed in the UK only if it is currently concerned in terrorism, within the meaning of the Terrorism Act 2000, and if the Home Secretary decides that the factors relevant to the exercise of her discretion weigh in favour of proscription. While we keep the list of proscribed organisations under review, it is longstanding Government policy not to comment on whether an organisation is or is not under consideration for proscription.

**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)

We note the Committee's recommendation. We moved to begin implementation of the Macgregor Review as soon as it was received and can reaffirm our commitment to the Macgregor Review's key findings and recommendations. We look forward to updating as part of the FCDO's ongoing engagement with the Committee.

**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)

We note the Committee's views with regard to the efficacy of UK consular policy in Iran and agree fully that the Iranian government should immediately and unconditionally release all arbitrarily detained dual British nationals. We have been clear that their detention is entirely unacceptable and unjustified. We agree on the importance of working with allies and like-minded partners. We will continue to discuss with them how best we can raise cases of arbitrary detention, to reinforce our concerns and impact. It is important that we act in a way we judge most likely to be in best interests of each of our detainees, and we are committed to ensuring we do everything we can to ensure they are released to be reunited with their families. Iran does not recognise dual nationality nor grant consular access to our dual British national detainees. We have repeatedly pressed, and will continue to press, for exceptional consular access and appropriate medical care.

**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)

We note the Committee's recommendation. We do not accept dual British nationals being used as diplomatic leverage. In any individual case, the Government would look at all the circumstances concerned, including consideration of the International Convention against the Taking of Hostages 1979.

Meanwhile, we continue to use UN and international fora to call out such behaviour. At the last Human Rights Council session, the UK joined other countries in a statement highlighting our shared concern about the arbitrary detention of foreign nationals and

calling on all states to uphold their international human rights obligations. We will continue to discuss with likeminded countries how best we can raise cases of arbitrary detention, to reinforce our concerns and impact.

**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)

We take careful note of the Committee's recommendation. We currently impose sanctions against a number of Iranians involved in serious human rights violations and abuses under the UK's autonomous Iran (Human Rights) sanctions regime, which came into force on 31 December 2020.

We hope these sanctions will encourage the Government of Iran to comply with international human rights law and to respect human rights.

The UK's Global Human Rights ('Magnitsky') sanctions regime, established on 6 July 2020, also allows us to impose sanctions on individuals and entities involved in serious human rights violations or abuses around the world. The purposes of the sanctions regime are to provide accountability for, and deter, activity that would amount to a serious violations or abuses of the right to life; the right to not be subjected to torture or cruel, inhuman or degrading treatment or punishment; and the right to be free from slavery, not to be held under servitude or required to perform forced or compulsory labour.

We will continue to consider future sanctions designations, however, it would not be appropriate to speculate who may be designated, as to do so could reduce the impact of future designations.

**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)

We agree that the UK-Iran relationship, like all relationships between States, is rooted in part in a shared history between our peoples. We are clear on the distinction between the actions of the Iranian State and its people. We do not see our relationship with Iran as being exclusively structured via our relationships with the E3 or the US, but as the

Committee itself notes it is crucial that the UK work in partnership with its friends and allies if it is to effectively secure its objectives. We do not see any inherent tension between working closely with the E3 and the US and our bilateral relationship with Iran.

We place value on our engagement in Tehran, on the importance of understanding the motivations behind the actions of the Iranian State and the interests and rights of ordinary Iranians. We want this relationship to be stronger. To strengthen our bilateral engagement, the FCDO has increased the numbers of people trained in Farsi language for postings in Iran, and has extended some of the tour lengths. We also continue to increase the depth of expertise across the network through a wide-ranging programme of contacts with think tanks and other experts.

**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)

We share the Committee's views on the contribution of Iranians throughout world history in the fields of science, culture, poetry, maths and philosophy. The Iranian people have the right to determine how they are governed, and we agree that the UK has a responsibility to call out the Iranian State for its human rights violations and to call for change. The UK is strongly committed to holding Iran to account on a wide range of human rights issues.

In the last few months, for example, we have:

- In September's Human Rights Council, joined 46 other states in co-signing a statement that set out our deep concern about persistent human rights violations in Iran, and called for perpetrators to be held accountable.
- Along with French and German Foreign Ministers, delivered a joint letter to Foreign Minister Zarif, expressing our deep concern at the grave human rights violations inside Iran, and drew particular attention to the plight of those arbitrarily detained.
- Continue to co-sponsor the annual UN Third Committee resolution on the situation of human rights in Iran. In October, made a national statement at the UN Third Committee, focused particularly on our concerns around media freedom and freedom of religion or belief.
- On 20 November, published an update on the human rights situation in the FCDO's 30 human rights priority countries, which included our bleak assessment that Iran's record was an area of deterioration.

We will continue to hold Iran to account on a wide range of human rights issues, by using our membership of the Human Rights Council, through contact with the Iranian government, and internationally at the UN and with our likeminded partners.

**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)

We agree with the conclusion of the Committee. The UK-Iran bilateral relationship is an important part of our policy and a key enabling tool in achieving our wider goals. The UK has successfully kept the diplomatic door open for renewed dialogue. We will continue to send a clear message about the opportunities of a new US Administration, the urgent need to engage quickly on a return to nuclear compliance, and to ongoing discussions about Iran's role in the region.