

Written evidence submitted by James Rogers and Dr Simon Waldman of The Henry Jackson Society (UKI0007)

About The Henry Jackson Society

The Henry Jackson Society (HJS) is a think-tank and policy-shaping force that fights for the principles and alliances which keep societies free, working across borders and party lines to combat extremism, advance democracy and real human rights, and make a stand in an increasingly uncertain world.

About the Authors

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Mr Rogers has also worked on research projects for several other institutions, including the Development, Concepts and Doctrine Centre at the Ministry of Defence and RAND Europe. He has been called to give oral evidence to the Foreign Affairs Committee, the Defence Committee, and the International Development Committee.

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He is the author of *Anglo-American Diplomacy and the Palestinian Refugee Problem* (Palgrave MacMillan, 2015) and the co-author of *The New Turkey and its Discontents* (Hurst and Oxford University Press, 2017).

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INTRODUCTION

1. In requesting written evidence for its inquiry on Britain's relations with Iran, the Foreign Affairs Committee has outlined several focus points ranging from the history and evolution of bilateral ties to the future of the Joint Comprehensive Plan of Action (JCPOA). We are sure that the committee will receive other submissions that highlight the historical turbulences in the United Kingdom's (UK) relations with Iran. Perhaps some might note Iranian mistrust of British policy stretching as far back as far as the nineteenth century when the British and Russian empires competed for influence owing to Iran's geostrategic location. Some may note the foundation of the Anglo-Persian Oil Company in 1908 and point to popular resentment towards Britain for London's support for the United States (US) backed coup against Prime Minister Mohammed Mossadeq in 1953 after he pledged to nationalise Iranian oil. Other animosities will also be recalled such as the 1980 London Embassy Siege and the disgraceful fatwa calling for the murder of Salmon Rushdie.
2. We note, of course, that a thorough historical understanding of British-Iranian relations is important in terms of context. However, in submitting our evidence, our starting point is that – irrespective of the history of British-Iranian relations – Iran is ruled by a deeply authoritarian, revisionist, and mendacious regime. This regime also funds, aids and abets extremism and terrorism across the broader Middle East. Regardless of how benevolent Britain is towards Iran, the regime will always harbour ill-intent and push its own narrative and propaganda.
3. We also hope the committee understands that – despite its claims – Iran's regime does not represent the opinions and attitudes of the Iranian people. Their opinions and attitudes are instead highly diverse. Notwithstanding historical differences, many Iranians harbour little animosity towards Britain and even view the country in high esteem. One of this submission's authors visited Iran several years ago and travelled across the country for 30 days and was heartened to discover that far from being considered as the "Old Fox" (or "Little Satan"), as the UK is sometimes depicted by the regime, many Iranians had positive views of Britain, just as they held positive views towards the "Great Satan" and "Little Satan", i.e. the terms used by the regime for the US and Israel. 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. Indeed, between 2019 and 2020, protests against the regime broke out across Iran, showing the extent to which it is disconnected from a large segment of Iranian society.
4. Therefore, the four key assumptions underpinning our analysis are:

- a. Iran is ruled by an authoritarian and revisionist regime: this regime does not represent the people of Iran, many of whom seek fundamental and progressive change in their country;
- b. The Islamic Republic cannot be “conditioned” or “transformed” into a stakeholder in the rules-based international system, either regionally or globally. To imagine otherwise is wishful thinking rather than any sober analysis of Iran’s international outlook since 1979;
- c. Attempts to engage diplomatically with this regime by the UK and other major democratic powers have failed, abysmally; as these overtures fail, Iran’s regime grows in strength;
- d. Iran’s regime can only be deterred and contained.

BRITISH ENGAGEMENT WITH IRAN HAS BEEN INEFFECTIVE

1. Britain’s recent efforts to “de-escalate” and seek to develop stronger relations with Iran has been aggressively rebuffed. In 2011, the UK embassy in Tehran was invaded by a 1,000 strong mob. Iran’s security personnel looked the other way as, in scenes reminiscent of the 1979 attack on the US embassy, the angry mob broke into the compound, removed and set fire to the Union Flag, vandalised the diplomatic offices and stole documents. In Iran such acts are simply impossible unless they have the blessing of the authorities. This attack was a violation of the Vienna Convention that ensures the protection of embassies. Refusing to adhere to this most basic principle of international convention is a fundamental sign of Iran’s unwillingness to be part of a rules based international system.
2. In August 2015, just one month after the P5+1 (China, France, Russia, UK, US, plus Germany) powers announced a breakthrough in nuclear negotiations with Iran, which later became known as the JCPOA, Britain reopened its embassy in Tehran. This was a significant gesture of friendship considering that the JCPOA was yet to be formally adopted and was not made official until October 2015.
3. However, Britain’s goodwill was met with disdain. Just months later, MI5 disrupted a plan by Hezbollah, an Iranian sponsored terrorist group, to attack Israeli interests on British soil and the cell was found to have stored three tons of explosives in a residential house in Northwest London. Then, in April 2016, British-Iranian dual national Nazanin Zaghari-Ratcliffe, was arrested, detained and later charged and sentenced for espionage. Her trial was a sham and her detention is unlawful. In another sign of how Iran flagrantly ignores international law and convention, Zaghari-Ratcliffe’s access to consular representation, international monitors and her family was and remains severely limited and she is kept in conditions unbecoming of the most basic of international standards. And Zaghari-Ratcliffe is not a one-off; additional British nationals have been detained in Iran.

4. More recently in September 2018, Kylie Moore-Gilbert, a lecturer at the University of Melbourne and Cambridge graduate, was arrested under spurious espionage charges and is being kept in solitary confinement after rebuffing efforts to be recruited as a spy.
5. Then, in January 2020, Rob Macaire, the British Ambassador to Tehran, was detained after returning from a commemoration of the 176 killed on board a Ukraine International Airlines flight which was shot down by the Islamic Revolutionary Guard Corps. This despite the fact that four of the dead were British.

IRAN'S DESTABILISING ACTIVITIES

1. Despite engagement and overtures from the UK and its allies, Iran has continued to indulge in activities – which, far from contributing to the rules-based system – are designed to destabilise and revise the prevailing order in the Gulf and the broader Middle East. In addition to attacking Saudi Arabia's oil infrastructure in September 2019 and other assaults on maritime targets in and around the Persian Gulf, Tehran sponsors radical proxies such as Hezbollah in Lebanon – designated since January 2020 by the UK as a terrorist entity. Hezbollah, with its own army and dominance over Lebanon's politics, undermines the stability of Lebanon, threatens Israel and stirs up chaos in Syria.
2. Iran has provided financial, material and on the ground military support for the Assad regime in Syria, a policy which has helped perpetuate the nine year civil-war that has ravaged the country beyond recognition. Meanwhile, Tehran sponsors the Houthis in Yemen in another regional civil-war that has not only devastated an already fractured country but also dragged Saudi Arabia and other Gulf States into the fighting. Although the Saudi intervention has been mismanaged, Houthi multiple rocket-firing into Saudi Arabia with what are believed to be Iranian missiles was a factor that pushed Saudi Arabia into the war.
3. Iran's involvement and activities of destabilisation in Iraq include the sponsoring of Shia militias and influencing Shia political leaders to push highly sectarian agendas. This has hampered the establishment of stable state institutions and sectarian marginalisation was a factor which contributed to the radicalisation of former Sunni elites, some of whom were instrumental in the creation of ISIS. Iran has also used military force to fire on targets in Iraq, most recently in response to the US decision to destroy Major General Qasem Soleimani, the Commander of Quds Force, one of Iran's organs of state-backed terrorism.
4. The Iranian threat to freedom of navigation in the Strait of Hormuz – the world's most important maritime choke-point for energy transport – and the Gulf of Oman has continued. Only in July 2019, Iran successfully seized the British-flagged *Stena Impero* and impeded the movement of Libyan registered (but British operated) *Mesdar*. *Stena Impero* was illegally detained in Iran, before being released in late September. This followed a series of Iranian actions to slow the movement of other

countries' vessels, including in June 2019 attacks on Panamanian- and Marshall Islands-flagged vessels, which inflicted damage to their hulls.

WHY A NEW BRITISH APPROACH IS NEEDED

1. Despite considerable effort by the UK and its allies and partners, it is clear that Iran will not be coaxed into the ruled-based international system. As General Sir Nick Carter, Chief of the Defence Staff, pointed out during his Annual Lecture last year, Iran's regime – like Vladimir Putin in Russia – does not see the world in the same way that Britain does, in terms of “peace” and “war”.¹ Instead, Tehran sees the world through the lens of continuous competition – for survival. Britain will only cease to be an opponent once it has either been subdued or has grown disinterested in Iran's actions. Therefore, to engage with this regime only serves to embolden it, and weaken the UK and its allies.
2. Under these circumstances, it is time for a new and more realistic British approach. After the US strike on Iran's Soleimani, many voices were heard in Britain and Europe calling for “de-escalation”. This is illogical. Iran's willingness to escalate is a symptom of the UK and its allies' failure to deter it from hostile action. Iran's regime will only be subdued through the re-establishment of deterrence. This requires two integrated moves:
 - a. Geopolitical containment of the regime;
 - b. The application of increased pressure against the regime.

Geopolitical containment of the regime

3. To prevent Iran from further extending its power across the Middle East, Britain should increase ties with the Gulf states in order to strengthen their capacity to defend themselves against Iranian attacks. The UK should also support the official governments of Iraq, Yemen and Lebanon in the building of state institutions as well as offering humanitarian assistance to ease the hardships associated with civil war in such countries. It is important that the British military presence in the Gulf and “East of Suez” more broadly is upheld, particularly as the US focuses more on the rise of China.
4. In addition, the UK should boost its naval presence in the Strait of Hormuz and work with regional and international partners to ensure that individual and mutual interests are upheld. There can be no repeat of the circumstances surrounding the *Stena Impero* affair in which the British flagged tanker was eventually released in late September 2019, one month after Britain discharged an Iranian flagged tanker off the coast of Gibraltar after written assurances that it would not continue its voyage to Syria, only to be seen doing so by the end of the year. There should be

¹ <https://rusi.org/event/annual-chief-defence-staff-lecture-and-rusi-christmas-party-2019> [accessed: 8 April 2020]

no linkage between Britain implementing international law and Iran's flagrant violation of it.

The application of increased pressure against the regime

5. Britain should prioritise ensuring the freedom of its citizens held hostage in Iran and be relentless in securing the release of British nationals detained in Iran. In March 2019, London issued Ms Zaghari-Ratcliffe "diplomatic protection". This was a positive step as it means that her case is no longer only a consular issue, but a diplomatic dispute between two states.
6. The full potential of the implication of "diplomatic protection" has to be fully utilised. Britain can and should take Iran to the International Court of Justice to seek a ruling that calls not only for her release, but also the payment of damages. Tehran would not be able to ignore such a verdict because in the past the ICJ has ruled in Tehran's favour, ordering the US to Iran \$2 billion in frozen assets. If Iran ignores the ICJ on detained British nationals, it would delegitimise its own financial claims against the US.
7. If British nationals such as Nazanin Zaghari-Ratcliffe continue to be unlawfully detained and British shipping is under threat, Britain may want to reconsider the nature of its diplomatic ties with Iran first by downgrading its representation to that of consul-general and even consider closing the embassy altogether.
8. Britain should also continue to implement – even tighten– its sanctions on Iran, encouraging other countries to do similarly. The protests against the regime throughout 2019 and 2020 suggest that the Iranian people are growing increasingly tired of its policies and their country's international position as a pariah state.
9. The UK should also continue to be at the forefront of international efforts to condemn Iranian acts of hostility and use its seat at the UN Security Council to denounce Iran's regime's attacks against its neighbours as well as its ballistic missile testing and nuclear activities.
10. Britain should follow the US in designating the IRGC a terrorist entity, if not the IRGC as a whole, then at least its special operations unit, the Quds Force, linked to a number of terrorist groups and outrages across the globe.

IRAN'S NUCLEAR AMBITIONS AND THE FUTURE OF THE JCPOA

1. Iran has not given up in its attempts to become a nuclear power. Even a rudimentary nuclear capability would greatly amplify the regime's power and revisionist activity. Given that this regime, and particularly what comes after it, might not be rational, Britain is right to have focused on preventing Iran from becoming a nuclear power.

2. However, the mechanism through which this objective has been pursued – the JCPOA – has now self-evidently failed. Regardless of whether US President Donald Trump was right to withdraw from the JCPOA in 2018 instead of seeking amendments to the deal, the JCPOA was a flawed agreement to begin with. The deal contained a “sunset clause” which meant that Iran could restart its nuclear programme after 10-15 years. Another failure of the JCPOA was that inspectors would need Iranian permission before entering secret military sites and there was no mention of Iran’s ballistic missile programme.
3. In response to the US decision, the European Union attempted to keep the deal alive and devised a mechanism – INSTEX – to offset penalties that firms may face from US sanctions if they engage with Iran. Despite this, in 2019 Iran incrementally increased uranium enrichment in breach of JCPOA limits in an attempt to force the three European powers (Britain, France and Germany) who were part of the JCPOA negotiations to work harder to counterbalance US sanctions while threatening to increase the level of its enrichment to 20 percent. In any case, Iran seized on the US strike against Soleimani in January 2020 as a pretext to overturn the terms of the JCPOA.
4. Yet Iran’s commitment to the JCPOA was already in doubt. This was evidenced by Israel’s discovery of a nuclear archive in 2018 (despite its contents already known, the fact that Iran hid this material was a breach in the spirit of the JCPOA if not the letter of the NPT). Meanwhile, in July 2019 international inspectors found traces of radioactive material inside a facility that Iran had failed to disclose in breach of the NPT.
5. Self-evidently, the JCPOA has failed and Britain should move away from it. British Prime Minister Boris Johnson was right to declare on 14 January 2020 that it was time to replace the JCPOA with a new US brokered agreement.² Foreign Secretary Dominic Raab was also correct to conclude that Iran had engaged in “systematic non-compliance”.³
6. Iran is likely to seize on and exploit any international disagreement. Despite the emergence of Covid-19, Britain should therefore quietly lobby both France and Germany into accepting that the JCPOA cannot be resuscitated. It should also encourage both to work with Washington to adopt a more robust and realistic stance towards Iran, both in terms of the regime’s nuclear programme and its broader revisionist activities.
7. However, given its own forward presence in the Gulf, Britain’s objectives and interests in the Middle East are broader than those of France and especially Germany. In fact, UK interests are more like those of the US. This is why, in the

² <https://www.bbc.co.uk/news/uk-politics-51104386> [accessed: 8 April 2020]

³ <https://www.gov.uk/government/speeches/triggering-the-jcpoa-dispute-resolution-mechanism-foreign-secretarys-commons-statement> [accessed: 8 April 2020]

final instance, Britain has to prioritise working with the US to constrain Iran if agreement with the Europeans cannot be found.

8. Any future agreement with Iran ought to be more realistic than the last. It should not contain sunset clauses nor require Iran's permission to inspect secret military facilities. It should also be expanded to preclude Iran from developing delivery systems to deliver nuclear warheads. And, vitally, it should also be linked to Iran's regime's broader revisionist activities in the Middle East.

April 2020