

Written submission by Janet Daby MP

Since 1979, the UK's relationship with Iran has been one of hostility and mistrust. Iran has continued to challenge values of freedom and democracy at home and across the middle east, meanwhile the UK has had a questionable role in its approach which has included supporting the Saddam Hussein regime.

Although our relationship with Iran involves a vast history and areas of interest, my submission will be focusing on the case of my constituent, Anoosheh Ashoori, who has been detained in Iran since August 2017. As part of this, I will touch on the UK's strategy against Iran's hostage diplomacy and the link to the historical arms debt which has been attributed to the case of British nationals being detained in Iran.

Anoosheh Ashoori

- 1.1 British dual national Mr. Anoosheh Ashoori, a retired 66-year-old engineer, husband and father of two, and constituent of mine was detained on 13 August 2017 during a routine trip to Tehran to visit his mother.
- 1.2 He was detained in the street, a hood thrown over his head and taken to Evin Prison. He was kept in solitary confinement for several months and endured daily interrogations that lasted up to 12 hours.

Treatment while in detention

- 2.1 Other than a very brief call to his mother the day after his arrest to inform her that he was in Evin, his family had no knowledge of his whereabouts for several months. The government body responsible for his arrest was the intelligence arm of the Iran Ministry of Interior.
- 2.2 In order to force him into confessing and cooperating, he was told that his family in the UK would be killed and they even threatened to evict his 86-year-old mother from her own home. Faced with this dilemma, Mr. Ashoori went on a hunger strike and made multiple suicide attempts.
- 2.3 On 21st of November, since his interrogators had failed to get a confession from him, namely that he was a spy for Israel, he was handed over to the intelligence arm of the IRGC and taken to a detention centre on the outskirts of Tehran.
- 2.4 After two weeks of intense psychological torture, he was brought back to Evin and transferred to Ward 7, which mainly housed "security" prisoners. Over a period spanning from 8 January 2018 until 16 September 2018, he presented six different lawyers to the Judiciary, all of whom were rejected.

- 2.5 Mr. Ashoori ultimately had to represent himself in a show trial presided over by the infamous Judge Abolqasem Salavati, who is under US sanctions for his many human rights abuses.
- 2.6 He was given two sentences of 10 and 2 years for cooperating with a hostile state, namely Israel, against Iran and receiving illicit revenues. He was also fined €33,000. His subsequent appeal was also rejected, and his sentence was upheld on 21 July 2019 despite the absence of any substantial evidence.
- 2.7 It is necessary to point out that Mr. Ashoori has never held any government post, has never been in a position to have access to state secrets, has never had any political affiliations and has never been a member of any faction or political party. He is a retired engineer whose life has been spent on designing building materials that can help people in earthquake prone regions and countries where building costs are always a concern. His self-designed product has been used in the building of hospitals, schools, mosques, and residential homes, and a prominent example, would be his activities in the city of Bam in Iran after the 2003 earthquake.

Family contact with the FCO

- 3.1 Having no experience in these matters, Mr. Ashoori's family did not realise that they could seek consular help. Mr. Ashoori had expressed concern that his passport, which was confiscated, may be misused and he urged his family to inform the British government. They contacted the FCO in June 2018 to report this and discovered that they were able to receive support.
- 3.2 Throughout their engagement with the FCO, they were always urged not to publicise their case as it would endanger any behind-the-scenes diplomacy and negotiation. The matter was therefore kept private until 27 August 2019, when the Iranian Judiciary took the first step and declared Mr. Ashoori to be a spy on Iran's national television.

FCO Assistance

- 4.1 The family have since had meetings with FCO officials, two meetings with former Foreign Secretary Jeremy Hunt and current SoS Dominic Raab, and several meetings with Ambassador Rob Macaire. A meeting with the PM has also been requested. In the most recent meeting with Dominic Raab, the family asked for diplomatic protection to be applied to Mr Ashoori. FCO staff present in the meeting advised Mr Ashoori's family that they would need to provide evidence of Mr Ashoori's 'Britishness'. For the sake of clarity, Mr Ashoori and his wife are naturalised British citizens, they have been educated in the UK, pay taxes in the UK and have raised their children in the UK. The family assert that his treatment by Iranian authorities has come about due to his British identity.

4.2 During the meeting the family also informed the Foreign Secretary of threats by Iranian authorities to Mr Ashoori which included detailed accounts of the family's UK home and other private details, which would have most likely been gathered by active intelligence gathering on UK soil.

Iran's 'Hostage Diplomacy' and Link to historical debt

5.1 While there are no exact figures on the number of detainees with British links being held in Iran, these are at least some of those, like Mr Ashoori, who are understood to be incarcerated as part of Iran's "hostage diplomacy". The United States, Australia, and France have also had citizens detained, yet, following negotiations, a number of their respective nationals were released.

5.2 The Iranian regime has a history of linking hostage releases to money, starting from the release of the 52 American hostages following the release of \$7 billion in seized Iranian assets by the Carter administration.

5.3 Iranian authorities have not made an explicit link between the outstanding payment of £400m for a historical arms agreement and the fate of British nationals, who are being held detained in Iran, but in private it is reported that Iranians cite the £400m as one reason for the lack of trust between Tehran and London.

5.4 The dispute, over a 1970s defence deal between the Iranian Ministry of Defence and Support for Armed Forces Logistics (MODSAF) and International Military Services (IMS), resulted in the ruling against the UK by the International Chambers of Commerce following arbitration by Iran. The case was also heard in the High Court in May 2019. A secrecy order on the case, which was listed as A v B, was overturned after an application by The Sunday Times.

5.5 The UK's handling of the debt has also highlighted disagreements between different government departments on whether payment should be made. In May 2019, it was reported that the MoD had rejected a plea from the Foreign Office to hand over £400m owed by the UK government to Iran from a decades-old British tank sale, saying it is not prepared to give the money to the Iranian Revolutionary Guards Corps (IRGC).

5.6 Media reports also cited sources that the successive defence secretaries Sir Michael Fallon and Gavin Williamson had also opposed releasing the payment, saying they are not prepared to hand over the money because they claim it will end up in the hands of Iranian forces determined to pursue what they see as a malign military agenda in Yemen, Syria and Lebanon – a claim which is backed up by continued Iranian activities in the region.

5.7 In a Westminster debate in March 2014, Ben Wallace, current Secretary of State for Defence and an Iran expert, described the British handling of the case as "*un-British*

since it has been marred by double dealing and obfuscation". Recent reports suggest he is now seeking alternatives to paying off the debt, including through humanitarian aid such as food and medicine, which is a step in the right direction.

5.8 Further to the in-fighting on whether to pay the debt, The former Foreign Secretary, Jeremy Hunt, likened the money to 'ransom money' adding *"The problem is if you pay ransom money to someone who is a hostage then all that happens is you might get that hostage out, but the next time they want something they'll just take someone else hostage. That is the conundrum we have."*

5.9 Mr Hunts comments about the money, which has been acknowledged by the government and international litigation as a debt owed, added to the perception of the Iranians that the UK was not following the international rules-based system which it prides itself on.

Conclusion and recommendations

1. *The UK should maintain consistency across the board to demonstrate a clear and concise negotiation strategy to bring British citizens home from Iran.*

The lack of consistency in advice to families of British nationals being held in Iran has caused confusion on whether to make their cases public. The difference in approach has also contributed to creating a perceived two-tier system of importance amongst the cases.

The onus put on families to prove the 'Britishness' of the detained British nationals also creates a view by Iran that we consider naturalised nationals in a different light to those born British.

2. *The UK should create a consistent view across government that the financial dispute is based on a debt owed, not a 'ransom', to avoid further complications in the matter and uphold its international obligations.*
3. *The UK should appoint a clear authority in government to establish a clear negotiation strategy and to avoid further inter-departmental disputes on the financial dispute and detained British nationals.*
4. *The UK should explore other forms of payment with the EU to address concerns it may be used to finance Iran's de-stabilising activities in the Middle East.*

The financial dispute has proven itself to be a major hurdle in the relationship with Iran. Iran has rightly used the international systems in place to settle these disputes, yet the UK has continued to stall the payment.

In-fighting between the MoD and the FCO has contributed to the lack of policy on the dispute. A clear authority on the on-going dispute would clear the bureaucratic barriers and

departmental interests and give some confidence to victim's families that there is an established policy on the dispute.

The successes of Special Envoy, Brett McGurk, in securing the release of American prisoners from Iran should serve as an example in the UK's strategy.