

Proactive Release

Date: 22 September 2021

The following Cabinet paper and related Cabinet minute have been proactively released by the Minister of Foreign Affairs:

Title

Government Response to the Referral of Morteza Sharifi's Petition to "Limit diplomatic relations with the Islamic Republic of Iran"

Reference

LEG-21-MIN-0120



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Government Response to the Referral of Morteza Sharifi's Petition to "Limit diplomatic relations with the Islamic Republic of Iran"

Portfolio Foreign Affairs

On 12 August 2021, the Cabinet Legislation Committee:

- 1 **noted** that on 5 June 2021 the Petitions Committee referred Morteza Sharifi's petition to "Limit diplomatic relations with the Islamic Republic of Iran";
- 2 **noted** the submission of the Minister of Foreign Affairs and in particular her advice that:
 - 2.1 New Zealand's foreign policy is one of engagement;
 - 2.2 Our constructive relationship with Iran allows us to engage and raise concerns directly
 - 2.3 New Zealand raises human rights concerns about the situation in Iran on a regular basis, directly with Iran and in the multilateral context;
- 3 **approved** the government response, attached to the submission under LEG-21-SUB-0120, to Morteza Sharifi's petition entitled "Limit diplomatic relations with the Islamic Republic of Iran";
- 4 **noted** that the government response must be presented to the House by Tuesday 31 August 2021;
- 5 **invited** the Minister of Foreign Affairs to present the government response to the House in accordance with Standing Order 256;
- 6 **invited** the Minister of Foreign Affairs to write to the petitioner enclosing a copy of the government response to the petition, after the response has been presented to the House.

Rebecca Davies
Committee Secretary

Present:
Hon Andrew Little (Chair)
Hon David Parker
Hon Poto Williams
Keiran McAnulty, MP (Senior Government Whip)

Officials present from:
Office of the Prime Minister
Officials Committee for LEG

**Government Response to
Referral of Morteza Sharifi's Petition**

to

“Limit diplomatic relations with the Islamic Republic of Iran”

Presented to the House of Representatives

In accordance with Standing Order 256

Proactively Released by the Minister of Foreign Affairs

Government response to Referral of Morteza Sharifi's Petition to "Limit diplomatic relations with the Islamic Republic of Iran"

Introduction

- 1 The government has carefully considered the Petition Committee's referral of the petition entitled "Limit diplomatic relations with the Islamic Republic of Iran". The petition requests that the New Zealand Government:
 - 1.1 Summon the Iranian Ambassador; and
 - 1.2 Limit diplomatic relations with the Islamic Republic of Iran; and
 - 1.3 Promote human rights.
- 2 The government welcomes the Committee's referral of this petition and we thank the petitioner for bringing this matter to the government's attention.
- 3 The government responds to the referral of this petition in accordance with Standing Order 256.
- 4 The government has considered the petition as it pertains to New Zealand's existing foreign policy settings and obligations and responsibilities under international law.

Requests and government response

- 5 **Request 1:** That the New Zealand Government summon the Iranian Ambassador.
- 6 **Response:** In line with Aotearoa New Zealand's values based approach to foreign policy, New Zealand government officials regularly meet with the Ambassador of the Islamic Republic of Iran to discuss issues of importance to New Zealand and New Zealanders, including Iran's breaches of its obligations under the Joint Comprehensive Plan of Action (JCPOA) and the human rights situation in Iran.
- 7 New Zealand and Iran government officials also hold regular high level consultations, including biennially through our Political and Economic Cooperation Commission Framework (PECC), with the seventh meeting held in September 2020. Aotearoa New Zealand will continue to engage Iran directly on these issues.
- 8 **Request 2:** That the New Zealand Government limit diplomatic relations with the Islamic Republic of Iran.
- 9 **Response:** The New Zealand Embassy in Iran was our first diplomatic mission established in the Middle East in 1975. Despite a number of challenges, the New Zealand Government maintains a constructive relationship with Iran.

- 10 New Zealand's foreign policy is one of engagement and our relationship with Iran allows us to directly express our concerns on matters of importance to New Zealand. Limiting our bilateral relationship will preclude us from this. For instance, as a country that cares deeply about nuclear non-proliferation and disarmament and is also a current member of the International Atomic Agency (IAEA) Board of Governors, New Zealand takes an active interest in developments around Iran's nuclear programme. We express our concerns to Iran directly about their ongoing breaches of its obligations under the JCPOA, and encourage them to return to full compliance.
- 11 The government is also concerned about some of Iran's regional activity, particularly its support for militia groups and the destabilising role it has played in some regional conflicts.
- 12 **Request 3:** That the New Zealand government promote human rights.
- 13 **Response:** The New Zealand government regularly expresses its concerns for the human rights situation in Iran, both bilaterally and in the multilateral fora. Iran and New Zealand agreed to establish a dedicated mechanism for discussing human rights in a direct and constructive manner. The inaugural Iran/New Zealand Human Rights Dialogue was held virtually on the 26th May 2021. Both sides had the opportunity to have a frank exchange on areas of mutual interest and concern, including disability rights, gender equality, minority rights and the death penalty. Iran and Aotearoa New Zealand have agreed to hold the Dialogue on a biennial basis.
- 14 New Zealand routinely makes statements on Iran in the Human Rights Council, most recently during the 46th Session of the Human Rights Council on the 9th March 2021. New Zealand also continues to vote in favour of the resolution on the Situation of human rights in the Islamic Republic of Iran in the United Nations General Assembly Third Committee, most recently in November 2020.
- 15 New Zealand contributed to the last Universal Periodic Review for Iran in December 2019. Our recommendations covered protection against violence and discrimination on the grounds of sexual orientation and gender identity, ceasing the death penalty, encouraging freedom of expression, continuing reform to ensure non-discrimination against women and girls, protecting religious and ethnic minorities and Iran accepting a visit by the Special Rapporteur on the situation of human rights in Iran. We continue to maintain these recommendations.

Conclusion

- 16 Despite some challenges, New Zealand maintains a constructive relationship with Iran. This allows us to hold direct discussions with Iran, express our views and concerns.
- 17 The New Zealand government will continue to adhere to its independent, values based approach to foreign policy. Where Iran's actions are contrary to New Zealand's values, we will continue to express our views both bilaterally and in the relevant multilateral fora.

- 18 The New Zealand government attaches great importance to human rights, which remains a key tenet of New Zealand's foreign policy engagement. We will continue to raise our human rights concerns with Iran where appropriate, including in the Human Rights Council, the UN Third Committee, and through bilateral engagement.

Proactively Released by the Minister of Foreign Affairs

[IN-CONFIDENCE]

Office of the Minister of Foreign Affairs
Chair, Cabinet Legislation Committee

Government Response to the Referral of Morteza Sharifi's Petition to "Limit diplomatic relations with the Islamic Republic of Iran"

Proposal

- 1 This paper seeks approval of the government's response to the Petition Committee's referral of Morteza Sharifi's petition to "Limit diplomatic relations with the Islamic Republic of Iran".

Background

- 2 The petition requests that the New Zealand Government:
 - 2.1 Summon the Iranian Ambassador; and
 - 2.2 Limit diplomatic relations with the Islamic Republic of Iran; and
 - 2.3 Promote human rights.

Government response

- 3 A Government response has been prepared (attached). In particular, the response notes:
 - 3.1 New Zealand's foreign policy is one of engagement.
 - 3.2 Our constructive relationship with Iran allows us to engage and raise concerns directly.
 - 3.3 New Zealand raises concerns about the human rights situation in Iran on a regular basis, both directly with Iran and in the multilateral context.

Timing of the government response

- 4 The government response must be presented to the House by Tuesday 31 August 2021.

Consultation

- 5 The Department of the Prime Minister and Cabinet has been informed. The Ministry of Foreign Affairs and Trade has been consulted.

Financial implications

- 6 There are no financial implications for New Zealand.

Publicity

7 There is no publicity planned.

Proactive Release

8 The Minister of Foreign Affairs proposes to release the paper proactively in whole.

Recommendations

The Minister of Foreign Affairs recommends that the Cabinet Legislation Committee:

- 1 note that on 5 June 2021 the Petitions Committee referred Morteza Sharifi's petition to "Limit diplomatic relations with the Islamic Republic of Iran";
- 2 note the submission of the Minister of Foreign Affairs and in particular her advice that:
 - 2.1 New Zealand's foreign policy is one of engagement.
 - 2.2 Our constructive relationship with Iran allows us to engage and raise concerns directly
 - 2.3 New Zealand raises human rights concerns about the situation in Iran on a regular basis, directly with Iran and in the multilateral context.
- 3 approve the government response, attached to this submission, to Morteza Sharifi's petition entitled "Limit diplomatic relations with the Islamic Republic of Iran";
- 4 note that the government response must be presented to the House by Tuesday 31 August 2021;
- 5 invite the Minister of Foreign Affairs to present the government response to the House in accordance with Standing Order 256;
- 6 invite the Minister of Foreign Affairs to write to the petitioner enclosing a copy of the government response to the petition, after the response has been presented to the House.

Authorised for lodgement

Hon Nanaia Mahuta
Minister of Foreign Affairs