

Proactive Release

Published on or before: 12/08/2024

The following Cabinet papers and related Cabinet minutes have been proactively released by the Minister of Foreign Affairs

| Title | Reference |
|---|------------------|
| <i>Cabinet Minute of Decision – Report of the Cabinet Legislation Committee: Period Ended 28 June 2024</i> | CAB-24-MIN-0245 |
| <i>Cabinet Legislation Committee – Minute of Decision – Government Response to the Petition of Focus on Iran to Expel the Iranian Ambassador</i> | LEG-24-MIN-0130 |
| <i>Government response to the petition “Focus on Iran: Expel the Iranian Ambassador”</i> | |

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the OIA). Where this is the case, the relevant sections of the OIA that would apply have been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to OIA redaction codes:

- 6(a): to avoid prejudicing the security or defence of New Zealand or the international relations of the New Zealand Government.



Cabinet

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.

Report of the Cabinet Legislation Committee: Period Ended 28 June 2024

On 1 July 2024, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 28 June 2024:

LEG-24-MIN-0130 **Government Response to the Petition of Focus on Iran to Expel the Iranian Ambassador** CONFIRMED
Portfolio: Foreign Affairs

Out of scope

Proactively Released by the Minister of Foreign Affairs

Out of scope

Rachel Hayward
Secretary of the Cabinet

Proactively Released by the Minister of Foreign Affairs



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 Petition of Focus on Iran to Expel the Iranian Ambassador

Portfolio Foreign Affairs

On 27 June 2024, the Cabinet Legislation Committee:

- 1 **noted** that on 19 March 2024, the petition titled 'Focus on Iran: Expel the Iranian Ambassador' (the petition) was presented to the Petitions Committee;
- 2 **noted** that on 6 May 2024, the petition was referred to the Minister of Foreign Affairs (the Minister) for response;
- 3 **noted** that the Minister recommends that the Government does not expel the Islamic Republic of Iran's Ambassador to New Zealand;
- 4 **approved** the Government response, attached to the submission under LEG-24-SUB-0130, titled 'Government Response to the Petition of Focus on Iran: Expel the Iranian Ambassador';
- 5 **noted** that the Government response will be presented to the House by 25 July 2024;
- 6 **invited** the Minister to present the Government response to the House in accordance with Standing Order 380;
- 7 **invited** the Minister to write to the petitioner with a copy of the Government response after it has been presented to the House.

Tom Kelly
Committee Secretary

Present:
(See over)

Present:

Rt Hon Winston Peters
Hon David Seymour
Hon Chris Bishop (Chair)
Hon Judith Collins KC
Hon Todd McClay
Hon Tama Potaka
Hon Simon Watts
Hon Brooke van Velden
Hon Casey Costello
Hon Andrew Bayly
Hon Andrew Hoggard
Hon Scott Simpson, MP
Jamie Arbuckle, MP

Officials present from:

Office of the Leader of the House
Officials Committee for LEG

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 petition “*Focus on Iran: Expel the Iranian Ambassador*”

Purpose

- 1 This paper seeks approval of the government’s response to the Petitions Committee referral of the petition entitled “*Focus on Iran: Expel the Iranian Ambassador*”.

Background

- 2 On 6 May 2024, the Petitions Committee referred the petition from *Focus on Iran* to the Minister of Foreign Affairs for response under Standing Order 380.
- 3 The petition requests that the House of Representatives urge the Government to consider and take appropriate action to expel the Iranian Ambassador.
- 4 In the supporting submission, the petitioner argues that doing so will “send a clear message that New Zealand stands firmly against human rights abuses and will not tolerate complicity with regimes that flout international norms and conventions” and is “a necessary step to uphold the values that define New Zealand as a nation committed to justice, freedom, and human rights for all.”
- 5 The petitioner justifies this request on the basis of the Iranian Ambassador’s “dismissive” attitude and “lack of accountability” in responses to questions from members of the Foreign Affairs and Defence Select Committee concerning the detainment of two New Zealanders in Iran, Christopher Richwhite and Bridget Thackwray (both now released), along with the tragic death of Mahsa Amini, during the Ambassador’s appearance before the Committee in August 2023. In the submission, the petitioner also asks the New Zealand Government to reevaluate its diplomatic relations with Iran.
- 6 This petition follows a similar petition made last year by Morteza Sharifi entitled “*Expel the Ambassador of the Islamic Republic of Iran*”, which was presented to the House on 23 June 2023. The recommended response to the current petition is consistent with the response to the earlier petition.

Comment on the government response

- 7 Despite a range of challenges, New Zealand maintains a diplomatic relationship with Iran. The Ambassador’s continued presence in Wellington provides the New Zealand Government the ability to express our

strong concerns about Iran's recent behaviour directly to the Iranian Government at an appropriately senior level. As the government response lays out, it is not in New Zealand's interest to restrict diplomatic channels as they enable bilateral discussions on issues of importance to New Zealand – even when we may strongly disagree. This is especially relevant where New Zealand is geographically distant from the country in question, as is the case with Iran.

- 8 The current Iranian Ambassador to New Zealand formally presented his credentials to Governor General Rt Hon Dame Cindy Kiro on 13 June 2023 at Government House in Wellington. The Ministry of Foreign Affairs and Trade (MFAT) engages with the Iranian Ambassador on a regular basis, including to express New Zealand's strong concerns about the Islamic Republic's recent behaviour and to explain the context and circumstances of the response actions New Zealand is taking.
- 9 For example, amongst other matters raised this year, MFAT has called in the Iranian Ambassador to discuss:
 - s6(a)
 - our grave concern and the need for restraint and de-escalation in the context of Iran's April exchange of strikes with Israel (s6(a)).
- 10 If New Zealand expelled the Iranian Ambassador, we would expect Iran to respond in kind, meaning that an expulsion would likely result in the reciprocal expulsion of the New Zealand Ambassador in Tehran. s6(a)

This would in turn limit New Zealand's ability to engage directly with the Iranian Government on matters of importance to us and our ability to provide consular assistance to New Zealand citizens in Iran.

11 s6(a)

- 12 Nonetheless, New Zealand has taken a clear and determined stance over the past 18 months against Iran's repressive domestic policies and its aggressive foreign policy, which is undermining stability in the Middle East and supporting Russia's illegal invasion of Ukraine. New Zealand continues to clearly signal to Iran our strong concerns about its recent behaviour, including in relation to human rights violations and its support for Russia's illegal invasion of Ukraine.

- 13 Noting the petitioner's concerns relating to Mahsa Amini, New Zealand has unequivocally condemned the tragic death of Mahsa Amini and the subsequent use of violence against peaceful protestors, including through Ministerial statements (including jointly with other countries), press releases, social media posts, in multilateral forums, and directly to Iranian officials both in Wellington and Tehran.
- 14 As a further example, on 7 May 2024 New Zealand amended its Russian Sanctions regulations to add one Iranian individual and four Iranian entities providing direct military support to Russia through the production and supply of drones for use in its unjustified and illegal invasion of Ukraine. This brings the total to twelve Iranian individuals and eleven Iranian entities sanctioned under the Russia Sanctions Act 2022 at the time of writing, with further sanctions planned. New Zealand has also banned 55 Iranians connected to human rights violations from travelling to New Zealand. An outline of the range of measures taken against Iran by New Zealand is updated regularly on the MFAT website.
- 15 Officials will conduct a review of the bilateral relationship and policy settings in the course of 2024. This advice would look to provide Ministers with options that officials consider to be most effective in responding to Iran's domestic and international activity.

Timing of the government response

- 16 The government response must be presented to the House by 25 July 2024.

Consultation

- 17 The Ministry of Foreign Affairs and Trade has been consulted.

Financial implications

- 18 There are no financial implications.

Publicity

- 19 There is no publicity planned.

Proactive Release

- 20 The Minister proposes to release the paper proactively. Proactive release is subject to redaction as appropriate under the Official Information Act 1982.

Recommendations

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

- 1 Note that on 19 March the petition entitled "*Focus on Iran: Expel the Iranian Ambassador*" was presented to the Petitions Committee.

- 2 Note that on 6 May the petition entitled "*Focus on Iran: Expel the Iranian Ambassador*" was referred to the Minister of Foreign Affairs for response.
- 3 Note that the Minister of Foreign Affairs recommends that the Government does not expel the Islamic Republic of Iran's Ambassador to New Zealand.
- 4 Approve the government response, attached to this submission, entitled "*Government Response to the Petition: Focus on Iran: Expel the Iranian Ambassador*".
- 5 Note that the government response will be presented to the House by 25 July 2024.
- 6 Invite the Minister of Foreign Affairs to present the government response to the House in accordance with Standing Order 380.
- 7 Invite the Minister of Foreign Affairs to write to the petitioner, enclosing a copy of the government response to the report of the Petitions Committee on the petition, after the response has been presented to the House.

Authorised for lodgement

Rt Hon Winston Peters

Minister of Foreign Affairs

Proactively Released by the Minister of Foreign Affairs