

Press release: Foreign Secretary affords Nazanin Zaghari Ratcliffe diplomatic protection

Affording diplomatic protection in Nazanin's case represents formal recognition by the British Government that her treatment fails to meet Iran's obligations under International law and elevates it to a formal State to State issue.

The legal proceedings brought against Nazanin failed to meet international standards and during her time in prison, Nazanin has periodically been denied access to the medical care recommended by doctors.

Diplomatic protection is a rarely-used mechanism through which a state can seek protection on behalf of one of its nationals if it believes they have been wronged by another state.

Foreign Secretary Jeremy Hunt said:

Nazanin Zaghari-Ratcliffe is an innocent woman who has spent the last three years in an Iranian jail, separated from her daughter and husband. We have been working hard to secure her release but despite repeated efforts have not been successful. We have not even been able to secure her the medical treatment she urgently needs despite assurances to the contrary.

So I have today decided that the UK will take a step that is extremely unusual and exercise diplomatic protection. This represents formal recognition by the British Government that her treatment fails to meet Iran's obligations under international law and elevates it to a formal State to State issue.

I have not taken this decision lightly. I have considered the unacceptable treatment Nazanin has received over three years, including not just lack of access to medical treatment but also lack of due process in the proceedings brought against her. My decision is an important diplomatic step which signals to Tehran that its behaviour is totally wrong. It is unlikely to be a magic wand that leads to an overnight result. But it demonstrates to the whole world that Nazanin is innocent and the UK will not stand by when one of its citizens is treated so unjustly.

Iran is one of the oldest civilisations in the world. I know there are many in Iran who understand the unjustness of this situation. No government should use innocent individuals as pawns for diplomatic leverage so I call on Iran to release this innocent woman so she can be reunited with her family.

Mr Hunt informed in advance Nazanin's husband Richard to explain his decision. The Foreign Office continues to work to support all our dual national detainees in Iran.

[Foreign Secretary statement on Nazanin](#)

- Diplomatic protection is a mechanism under international law according to which a State may seek to secure reparation for injury to one of its nationals, on the basis that the second State has committed an internationally wrongful act against the national. It is the right of the State to raise with another State the question of treatment of one of its nationals by that other State and to call that other State to account on the international plane.
- Diplomatic protection is distinct from diplomatic immunity, which concerns the status of those accredited as diplomats in another state. It is also distinct from consular assistance where a state provides assistance to its nationals in another state;
- The general threshold conditions required in order for a State to consider whether or not to exercise diplomatic protection are generally accepted to be: (i) the commission of an internationally wrongful act; (ii) the exhaustion of local remedies; and (iii) proof of nationality, or, in the case of a dual national, predominant nationality. We assess that Mrs Zaghari-Ratcliffe meets these conditions;
- Even if the conditions for a State to consider whether or not to exercise diplomatic protection are met, there is no duty to provide it. It is an exercise of the Crown's discretion and a decision to be taken by the Foreign Secretary, taking into account all relevant considerations in the round;
- Diplomatic protection is rare, and the UK has previously stated that it will only exceptionally exercise diplomatic protection in the case of a dual national where the respondent state is the state of second nationality.
- Diplomatic protection does not automatically dictate any particular course of action. In this case, the Government's steps will be those which in all the circumstances are most likely to secure the objective of Mrs Zaghari-Ratcliffe's release;
- Diplomatic protection is a rarely used tool; the UK has not used it in recent memory.