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**FAMILIES OF SHANE BAUER AND JOSH FATTAL MEET U.N. SECRETARY-GENERAL, ASK U.N. SPECIAL RAPPORTEUR ON HUMAN RIGHTS IN IRAN TO INVESTIGATE THEIR CASE**

***Relatives of Detained Americans Raise Grave Concerns about Psychological Torture, Lack of Due Process, Physical Abuse and Sexual Harassment***

***Secretary-General Ban Ki-moon Calls Detention “Totally Unacceptable” – Says Iran Should Release Bauer and Fattal “Immediately and Unconditionally”***

The families of Shane Bauer and Josh Fattal appealed today to the United Nations Special Rapporteur on the Situation of Human Rights in Iran, Dr. Ahmed Shaheed, to investigate their illegal detention and seek their immediate release by the Iranian authorities.

The letter highlighted serious concerns about psychological torture, lack of due process and instances of physical abuse and sexual harassment that Bauer, 28, and Fattal, 29, have suffered since their arrest by Iranian forces on July 31, 2009 on the unmarked border with Kurdistan, a safe and semi-autonomous region of northern Iraq where they were hiking during a vacation.

At a meeting at the United Nations late on Wednesday with members of Bauer and Fattal’s families, U.N. Secretary-General Ban Ki-moon said he had repeatedly encouraged the leaders of Iran to release the two men, who are now in their 24<sup>th</sup> month of arbitrary detention. Mr. Ban called their imprisonment “totally unacceptable.” “The international community has been urging Iran to release [Bauer and Fattal] immediately and unconditionally,” Mr. Ban said.

Mr. Ban’s meeting was attended by the mothers of the two men, Cindy Hickey and Laura Fattal, Fattal’s brother Alex and Bauer’s fiancée Sarah Shourd, who was arrested with them and released on \$500,000 bail last September after 410 days in solidarity confinement.

“The authorities in Iran are well aware that Shane and Josh are innocent but certain forces are holding them as pawns in a cynical game that has absolutely nothing to do with justice or the rule of law,” the letter to Dr. Shaheed said. It called on Dr. Shaheed to investigate what the mothers said was the gross abuse of their son’s human rights.

“Shane and Josh have been denied access to their lawyer, Mr. Masoud Shafii, and to consular visits from Swiss diplomats who represent U.S. interests in Iran. Their detention in the absence of due process and other violations is a flagrant breach of Iranian law and international conventions to which Iran is a signatory,” the letter said.

Following is the full text of the letter, which was announced at a news conference in New York organized by the U.N. Correspondents Association:



Dear Dr. Shaheed

Congratulations on your appointment by the United Nations Human Rights Council. We are writing to ask you urgently to investigate the illegal detention of our sons, Shane Bauer and Josh Fattal, by the Islamic Republic of Iran and to seek their immediate release by the Iranian authorities.

Today is the start of the 24th month of their arbitrary detention, throughout which they have been subjected to psychological torture as a result of their extreme isolation and the uncertainty regarding their fate.

The authorities in Iran are well aware that Shane and Josh are innocent but certain forces are holding them as pawns in a cynical game that has absolutely nothing to do with justice or the rule of law.

Shane and Josh have been denied access to their lawyer, Mr. Masoud Shafii, and to consular visits from Swiss diplomats who represent U.S. interests in Iran. Their detention in the absence of due process and other violations is a flagrant breach of Iranian law and international conventions to which Iran is a signatory. These are the details of their case, which we urge you to investigate without delay:

- Shane Bauer, an independent photojournalist born on July 13, 1982, and Josh Fattal, an environmental educator and advocate born on June 4, 1982, are citizens of the United States. Shane and Josh have never worked for the U.S. government.<sup>1</sup> They are simply open-minded and adventurous young people who represent the best of the human spirit.
- Shane, Josh and Shane's fiancée Sarah Shourd, who is also an American national, were arrested on July 31, 2009 by Iranian soldiers on the unmarked border with Iraqi Kurdistan, where they were hiking in the mountains behind a popular nature resort. According to Ms. Shourd, who was released on payment of \$500,000 bail on September 14, 2010, a soldier whom they believed to be Iraqi beckoned them to approach. When they reached the soldier, he told them they had stepped off of a footpath in Iraq and were inside Iran. They were arrested and moved to different locations over several days until they were brought to Evin Prison in Tehran.
- Shane and Josh were subjected to solitary confinement in the first months of their detention and are now confined to a shared cell measuring 10 feet by 14 feet for more than 23 hours a day. They have no contact with other prisoners and are blindfolded each time they leave their cell for a brief period of exercise in an internal courtyard.
- On one occasion we know of since their arrest, Shane and Josh were assaulted by a prison guard who forced Josh down stairs and slammed Shane against the wall of their cell until the back of Shane's head was bloody. On another occasion soon after their arrest, they were made to fear that they would be executed by a guard who repeatedly cocked his gun while in their presence. On a third occasion, last summer, Shane and Josh were sexually harassed by a prison guard. They complained to the prison authorities but their concerns were not treated seriously.
- We know from Ms. Shourd and our sons that they have staged several hunger strikes to protest their extreme prison conditions, including the denial of letters and books sent to them by their families.

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<sup>1</sup> Statement by President Barack Obama, July 30, 2010



- Shane and Josh were charged with espionage and illegal entry some 14 months after their arrest by the Office of the Prosecutor General of Tehran, Abbas Jafari Dolatabadi. The espionage charges are fabricated. The so-called evidence includes an allegation that Shane and Josh met U.S. officials in Baghdad immediately before their visit to Kurdistan. This is nonsense. They obtained entry visas at the Turkish border with Iraq that were valid only in Kurdistan. Witnesses, including their friend Shon Meckfessel, can testify to their presence in Irbil and Suleimaniya in the days prior to their arrest.
- Two of three hearings that were to have been held before Justice Abolghasem Salavati, who presides over Branch 15 of the Tehran Revolutionary Court, were cancelled on November 6, 2010 and on May 11, 2011 when Shane and Josh were inexplicably not brought from the prison to the court. At the only court session to date, on February 6, 2011, Shane and Josh testified to their innocence verbally and in writing. The session was filmed by an Iranian state news organization while Swiss diplomats and the public were not allowed to attend. A further session has been scheduled for July 31 – the second anniversary of their arrest.
- Shane and Josh have been denied any access to their lawyer, Mr. Shafii, apart from a brief encounter on September 14, 2010, when they and Ms. Shourd were formally charged prior to Ms. Shourd's release. Mr. Shafii attended the February 6 court hearing but was not permitted to sit with or talk to his clients.
- Shane and Josh have been allowed to make only three brief telephone calls to their families in almost two years and to send only one written communication, a Christmas card in 2010. Their families are not allowed to call them and we know that letters and packages have been withheld from them. Swiss diplomats have been allowed to make only four consular visits, most recently last October. We were able to visit with Shane and Josh for a total of 10 hours under strict supervision in a Tehran hotel on May 20 and 21, when a trip that Iranian officials had assured us would last a week was cut to just two days at the very last moment.

More details about the ordeal Shane and Josh are being made to suffer can be found at [www.freethethikers.org](http://www.freethethikers.org). We urge you again to investigate the gross abuse of their human rights.

Sincerely,

Laura Fattal and Cindy Hickey