



The Iranian-American Bar Association

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Follow-Up Statement Concerning Recent Detentions and Alleged Mistreatment of Iranian Nationals by the Immigration and Naturalization Service

IABA Commissions an Independent Report

This is a follow up to the December 23, 2002 Statement of The Iranian American Bar Association ("IABA") concerning the recent detentions and alleged mistreatment of Iranian nationals by the Immigration and Naturalization Service ("INS"). A copy of IABA's preliminary statement is attached for your information.

IABA remains deeply concerned about the recent detentions of Iranian nationals, among others, who voluntarily have sought to comply with the requirements of the National Security Entry-Exit Registration System, and the allegations of misconduct by immigration officials during the course of such detentions. We also share the Iranian American community's more general concern about legislative and regulatory developments during the past year relating to registration requirements and visa issuance that single out Iranians for special scrutiny. In response to these developments, and consistent with our commitment to protect and advance the legal interests of the Iranian American community, IABA is actively pursuing three goals: (i) to ensure that any legitimate grievances of Iranian American individuals in connection with recent detentions will be adequately redressed, (ii) to prevent any unjustified or illegal detentions or mistreatment in the future of non-immigrants who may be subject to the registration requirements, and (iii) to encourage the Justice Department and other agencies of the Federal Government to move away from using nationality as the sole or principal criterion for requiring special registration or for profiling persons to be subjected to heightened scrutiny in connection with measures to enhance national security. To further these goals, IABA is undertaking the following action items:

1. Independent Report. IABA has commissioned an independent report concerning the recent detentions of Iranian nationals in connection with the implementation of the special registration requirements, and the related allegations of misconduct by immigration officials. The purpose of this report is to ensure transparency and accountability in government by publicizing substantiated findings of fact concerning such detentions and allegations of misconduct, and undertaking an analysis of whether such detentions or the detainees' treatment by INS officials in any way violated the law. To assist us in the preparation of this report in an effective and timely manner, IABA has retained Wilmer, Cutler & Pickering, a premier national law firm headquartered in Washington D.C., as pro bono counsel. The final report and its findings will be made publicly available and, as appropriate, will also be presented to relevant government officials and members of Congress.

The success of IABA and its legal team in preparing the independent report will depend on the support of the Iranian American community. In particular, if you have any direct knowledge relating to the recent detention or alleged mistreatment of Iranian nationals by the INS, or if you know anyone who does, please contact us yourself or encourage others to contact us with that information on a strictly confidential basis as soon as possible at iaba@iaba.cc or at (202)828-1217. In addition, we urge you to seriously consider making a tax deductible contribution to IABA to help cover the significant expenses expected to be incurred in preparing the report.

2. Governmental Outreach. To advance the interests of the Iranian American community, IABA provides outreach to all branches of the U.S. government, undertaking to ensure that our elected and appointed officials are fully informed on matters of interest or concern to Americans of Iranian descent. To that end and in collaboration with the Iranian American Political Action Committee and a number of Iranian Americans in New York, IABA has in the past six months communicated the concerns of the Iranian American community relating to recent developments in the immigration laws to certain members of Congress and certain agencies in the executive branch, including the Departments of State and Justice¹. As a result of our collaborative efforts and as reflected in the attached Statement released by Senator Schumer on January 14th, 2003, a series of meetings have been convened among the relevant agencies and members of Congress to discuss non-immigrant visa policy issues including registration requirements, visa issuance and security screening procedures. Please note that in his statement, Senator Schumer specifically mentions Iranian Americans and acknowledges their contributions to the United States.

IABA will continue to engage in a constructive dialogue with appropriate officials in order to more effectively voice the concerns of the Iranian American community at the highest levels of government and in the hope of ensuring that future policy decisions affecting our community will adequately reflect the interests of Iranian Americans. More specifically, in connection with the recent detention of Iranian nationals, IABA is endeavoring (i) to increase awareness among members of Congress and other government officials concerning the actions of immigration officials and the concerns of Iranian Americans, (ii) to inform appropriate officials and members of Congress of our undertaking to prepare an independent report, and (iii) to convince relevant officials and our representatives of the need for a governmental inquiry into the events of last December.

3. Unity Campaign. IABA is dedicated to educating the public about legal issues of concern and interest to Americans of Iranian descent. To that end, we have organized the IABA Unity Campaign: a series of presentations intended (i) to inform and educate Iranian Americans as well as our fellow Americans about recent legislative and regulatory developments concerning the issuance of visas to, and the registration of, Iranian nationals, (ii) to encourage Americans of Iranian descent to actively participate in the civic life of this nation in connection with these and other issues of concern, and (iii) to provide an introduction to IABA and other Iranian American

¹ Please refer to our website at www.iaba.cc for a copy of IABA's position paper concerning such recent developments which has been presented to certain members of Congress and a number of agencies since November.

organizations that have been working to facilitate such participation. The first event of this series took place in Washington, D.C. on November 21st, 2002, and the next one is scheduled for February 28th, 2003, in New York City. Events in California and other parts of the country are also being planned.

IABA applauds and fully supports the commendable efforts of the many individuals and organizations, predominantly in California, who have worked tirelessly over the past several weeks to safeguard the rights of Iranian Americans in connection with the recent detentions. Such fine efforts notwithstanding, it is self-evident that an effective and thorough response to recent and future developments concerning the registration of Iranian nationals will require the unified and coordinated efforts of all Iranian American organizations and individuals, as well as the many other civil rights and ethnic organizations, engaged on these issues. To that end, IABA is reaching out to such organizations and individuals to facilitate the necessary pooling of information and resources, and to explore possibilities for collaboration.

We at IABA believe the greatest lesson of recent events for the Iranian American community is that in order to adequately and effectively protect its rights and advance its interests, our community must necessarily be better organized on many levels and in a network of national organizations guided by common and complementary goals. Consistent with its founding vision, IABA is on its way to building a truly national organization and is fully committed to assuming its place in such a network alongside other Iranian American organizations. However, we also recognize that building national organizations and assembling such a network is not an overnight project but one that requires patience and perseverance well beyond the time when the unpleasant memories of recent events may have faded. We at IABA are optimistic and hopeful that in collaboration with other Iranian American organizations and with the support of all Iranian Americans, we will be well organized and fully prepared to meet any future challenges facing our community.

January 15, 2003