



کانون وکلای ایرانی در آمریکا

IRANIAN AMERICAN BAR ASSOCIATION

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FOR IMMEDIATE RELEASE

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Iranian American Bar Association Calls on the Iranian Government to Grant Legal Rights Afforded to Esha Momeni under Iranian and International Law

Washington, D.C. – November 13, 2008 – The Iranian American Bar Association (IABA) expresses its deep concern about the circumstances of the arrest and detention of Esha Momeni, an Iranian-American graduate student who is in Iran to work on research related to her studies at the California State University, Northridge. IABA urges the responsible authorities in Iran to allow Ms. Momeni to exercise her legal rights under Iranian law and the International Covenant on Civil and Political Rights (“ICCPR”), to which Iran is a ratifying party.

Ms. Momeni was detained in Tehran, Iran on October 15, 2008 and was released on bail by the Iranian authorities on November 10. To date, Ms. Momeni has not been formally charged with a criminal offense.

Under the Iranian Constitution and its Penal Law, individuals have the right to be apprised of the charges being asserted against them and to be represented by legal counsel. Similarly, Article 9 of the ICCPR requires ratifying parties to ensure that individuals subject to arrest are informed at the time of the seizure of the reasons for the arrest. In addition, the ICCPR requires that detainees be brought promptly before a judge or other officer authorized by law and entitles all detainees to trial "within a reasonable time or to (being) released." The Human Rights Committee, the interpretative body of the ICCPR, has specifically noted that delays in bringing a detainee before a judge "must not exceed a few days."

Based on available information, the circumstances of Ms.



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Momeni's arrest and detention are inconsistent with these legal principles. Accordingly, IABA calls upon those responsible for Ms. Momeni's arrest and detention to comply with their legal obligations under both Iranian and applicable international law, and subsequently expedite Ms. Momeni's access to all rights afforded to her under such laws.

IABA is a non-religious, non-political independent organization and is not in any way affiliated with any other organization. IABA was founded in November 2000 and currently has almost 300 official members nationwide. IABA seeks to educate and inform the Iranian American community about legal issues of interest, and to ensure that the American public at large as well as our representatives and other government officials are fully and accurately informed on legal matters of interest and concern to the Iranian American community. In addition, IABA strives to publicize and promote the achievements of Iranian American lawyers and other legal professionals and to assist attorneys and law students in their legal careers. For more information or to learn how to become a member, please visit <http://www.iaba.us>.

Iranian American Bar Association

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