

RELEASE IN FULL

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**From:** Abedin, Huma <AbedinH@state.gov>  
**Sent:** Tuesday, September 20, 2011 6:32 AM  
**To:** H  
**Subject:** Fw: US men's release awaits return of Iran judge-lawyer (Reuters)

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**From:** OpsNewsTicker  
**Sent:** Tuesday, September 20, 2011 06:19 AM  
**To:** NEWS-Mahogany  
**Cc:** SES-O  
**Subject:** US men's release awaits return of Iran judge-lawyer (Reuters)

TEHRAN, Sept 20 (Reuters) - Two U.S. men convicted of spying in Iran are still awaiting the return of a judge from vacation to sign their release documents, their lawyer told Reuters on Tuesday.

The lawyer said on Sunday their release could be delayed until Tuesday as the judge in the case was on vacation.

"The judge was supposed to return today ... When I went to the court, I was told that the judge had not returned to the office yet," said Masoud Shafie.

"The judiciary officials told me to wait for their call ... but I do not think they will call any time soon."

Shane Bauer and Josh Fattal were arrested in mid-2009 along Iran's border with Iraq where they said they were hiking. They were found guilty of illegal entry and espionage and were sentenced last month to eight years in prison.

Before leaving on Monday for his annual trip to the United Nations, Iranian President Mahmoud Ahmadinejad told U.S. media that Bauer and Fattal would be freed "in a couple of days" as a humanitarian gesture.

Analysts say Ahmadinejad's announcement was a bid to improve his international standing ahead of the U.N. General Assembly meeting which starts on Wednesday.

But the Iranian judiciary, controlled by conservative hardliners at odds with Ahmadinejad, immediately rejected a swift release on bail, saying the matter was under review.

Shafie said last week the men would be freed on \$500,000 bail each. A third American, Sarah Shourd, was arrested with the men but was allowed home on \$500,000 bail in September 2010.

Iraqi President Jalal Talabani helped to mediate the pending release of Fattal and Bauer, according to Iraqi officials.

Washington denies the three Americans were spies and their supporters complain that no evidence against them has been made public. Their trial took place behind closed doors.

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