

# **Mustafa Kamel Mustafa, A/K/A “Abu Hamza,” Convicted Of 11 Terrorism Charges In Manhattan Federal Court**

**FOR IMMEDIATE RELEASE**  
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## ***Terrorism Charges Included Multiple Counts of Providing Material Support to al Qaeda***

### ***Charges Based on Participation in Hostage-Taking in Yemen, Support for the Establishment of a Terrorist Training Camp in the United States, and the Facilitation of Violent Jihad in Afghanistan***

<http://www.justice.gov/usao/nys/pressreleases/May14/AbuHamzaVerdictPR.php>

Preet Bharara, the United States Attorney for the Southern District of New York, today announced the conviction of MUSTAFA KAMEL MUSTAFA, a/k/a “Abu Hamza,” a/k/a “Abu Hamza al Masri,” (“ABU HAMZA”) for his participation in a hostage-taking in Yemen in 1998 that resulted in four deaths, a conspiracy to establish a terrorist training camp in Bly, Oregon, in 1999, and supporting violent jihad in Afghanistan in 2000 and 2001. Following a four-week trial and two days of deliberations, the jury convicted ABU HAMZA of each of the 11 charges that he faced. ABU HAMZA is scheduled to be sentenced on September 9, 2014 before U.S. District Judge Katherine B. Forrest, who presided over the trial.

Attorney General Eric Holder said: “In both word and deed, Abu Hamza supported the cause of violent extremism. His conviction is as just as it was swift. This case is all the more noteworthy since it continues a trend of successful prosecutions of top terrorism suspects in our federal court system. With each efficiently delivered guilty verdict against a top al Qaeda-linked figure, the debate over how to best seek justice in these cases is quietly being put to rest.”

Manhattan U.S. Attorney Preet Bharara said: “Once again the men and women of this office and the FBI have brought a notorious terrorist before the bar of American justice and once again the men and women of an American jury, having weighed the evidence, have found him guilty beyond a reasonable doubt. We are gratified that the jury has returned a unanimous verdict of guilt against Mustafa Kamala Mustafa, also known as ‘Abu Hamza.’ The defendant stands convicted, not for what he said, but for what he did. Abu Hamza was not just a preacher of faith, but a trainer of terrorists. Once again our civilian system of justice has proven itself up to the task of trying an accused terrorist and arriving at a fair and just and swift result. As we have seen in the Manhattan federal courthouse in trial after trial – of Ahmed Ghailani, of Suleiman Abu Ghayth, and now of Abu Hamza – these trials have been difficult, but they have been fair and open and prompt. These trials demonstrate that in an American civilian courtroom, the American people and all the victims of terrorism can be vindicated without sacrificing our principles. And that is one reason our civilian court system is admired the world over.”

As alleged in the Indictment against ABU HAMZA and established by the evidence admitted at trial:

### ***Hostage-Taking in Yemen in December 1998***

On December 28, 1998, in Yemen, hostage-takers stormed a caravan of sport utility vehicles carrying 16 tourists, including two United States citizens, and took the tourists hostage by force. Prior to the hostage-taking, ABU HAMZA issued a public warning to “infidels” not to travel to Yemen. In addition, five days prior to the hostage-taking, ABU HAMZA’s stepson and other associates of ABU HAMZA were arrested in Yemen. During the hostage-taking, the hostages told their victims that they were taken prisoner to free the hostage-takers’ “friends”.

Prior to the hostage-taking, ABU HAMZA provided the leader of the hostage-takers with a satellite telephone, and subsequently spoke with him on that satellite telephone the night before the hostage-taking and during the hostage-taking. During the call on the day of the hostage-taking, ABU HAMZA agreed to act as an intermediary on behalf of the hostage-takers. ABU HAMZA also provided advice to the leader of the hostage-takers over the telephone.

On December 29, 1998, the Yemeni military launched a rescue operation to free the hostages. The hostage-takers fought the Yemeni military, using the hostages as human shields. During the rescue operation, four of the hostages were killed and several others were wounded. Subsequently, in a recorded interview with one of the surviving hostages conducted at his mosque, ABU HAMZA described the hostage-taking as “a good thing.”

### ***Efforts To Create a Terrorist Training Camp in Bly, Oregon in 1999***

In late 1999, ABU HAMZA and several co-conspirators, including Oussama Abdullah Kassir, Haroon Rashid Aswat, and others, attempted to create a terrorist training camp to support al Qaeda on property located in Bly, Oregon. The primary purpose of the Bly, Oregon, camp was to provide various types of terrorist training, including weapons training. In late November 1999, at ABU HAMZA’s direction, Kassir and Aswat traveled from London, England, to Bly to assist in setting up the camp. Kassir brought with him to the camp a manual on the use of sarin nerve gas and letters of appreciation to Usama bin Laden and ABU HAMZA. Aswat subsequently was present at an al Qaeda guest house in Pakistan.

On May 12, 2009, after a four-week jury trial in this District, Kassir was convicted of various criminal offenses, including conspiring to provide material support to terrorists and to al Qaeda, and conspiracy to kill persons overseas, as a result of Kassir’s participation in the efforts to establish the Bly terrorist training camp. On September 15, 2009, United States District Judge John F. Keenan sentenced Kassir to multiple terms of life in prison. The conviction was subsequently affirmed by the Court of Appeals.

Aswat was arrested in Zambia in July 2005 and then deported to England, where he was arrested at the request of the United States, pursuant to a warrant issued in this District. The extradition proceedings against Aswat are currently pending.

### ***Facilitating Violent Jihad in Afghanistan 2000 and 2001***

In November 2000, ABU HAMZA requested that Ernest James Ujaama, a London-based follower of Abu Hamza, escort another one of ABU HAMZA’s followers, Feroz Abassi, to Ibn Sheikh al-Libi, a commander at a terrorist training camp in Afghanistan. Thereafter, Ujaama and Abassi traveled from London to Pakistan. Ujaama and Abassi then separately entered Afghanistan. ABU HAMZA subsequently conveyed instructions for Abassi to contact Ibn Sheikh al-Libi, who was expecting Abassi. Thereafter, Abassi passed through an al Qaeda safe house in Afghanistan, attended al Qaeda’s al Faruq training camp, and

met with senior al Qaeda leaders. In December 2001, United States forces took Abassi into custody in Afghanistan.

In addition, from the spring of 2000 through late 2001, ABU HAMZA provided goods and services to the Taliban by, among other things, directing Ujaama to deliver money to Taliban-controlled parts of Afghanistan.

Ujaama was arrested in 2002 and testified against ABU HAMZA as a cooperating witness for the Government.

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ABU HAMZA, 56, a naturalized citizen of the United Kingdom, was extradited from the United Kingdom to the Southern District of New York in October 2012. The 11 offenses of conviction carry the following maximum penalties:

The maximum potential sentences in this case are prescribed by Congress and are provided here for informational purposes only, as any sentencing of the defendant will be determined by the judge.

The arrest, extradition and conviction of ABU HAMZA was the result of the close cooperative efforts of the United States Attorney's Office for the Southern District of New York, the FBI, the NYPD, the United States Marshals Service, and New Scotland Yard in the United Kingdom.

Mr. Bharara expressed particular appreciation to the U.S. Department of Justice Office of International Affairs for its extraordinary assistance with the extradition in this case. Mr. Bharara also thanked the FBI's Seattle Field Office, the Home Office of the United Kingdom, the U.S. Department of Justice National Security Division, and the United States Department of State for their assistance.

The case is being handled by the Office's Terrorism and International Narcotics Unit. Assistant U.S. Attorneys John P. Cronan, Edward Y. Kim and Ian McGinley are in charge of the prosecution.

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