

PRESS RELEASE

Justice Department Announces Terrorism Charges Against Senior Leaders of Hamas

Tuesday, September 3, 2024

For Immediate Release

Office of Public Affairs

<https://www.justice.gov/archives/opa/pr/justice-department-announces-terrorism-charges-against-senior-leaders-hamas>

Defendants Are Senior Leaders of Hamas Responsible for Planning, Supporting, and Perpetrating Hamas’s October 7 Terrorist Attacks in Israel Resulting in the Brutal Murders of More Than a Thousand Innocent Civilians, Including Over 40 American Citizens

The Justice Department announced today the unsealing of terrorism, murder conspiracy, and sanctions-evasion charges against six senior leaders of Hamas, a designated foreign terrorist organization. The charges relate to the defendants’ central roles in planning, supporting, and perpetrating the terrorist atrocities that Hamas committed in Israel on Oct. 7, 2023 (the October 7 Hamas Massacres), involving the murders and kidnappings of countless innocent civilians, including American citizens, which was the culmination of Hamas’s decades-long campaign of terrorism and violence against Israel and its allies, including American citizens. The defendants are either deceased or remain at large.

“The Justice Department has charged Yahya Sinwar and other senior leaders of Hamas for financing, directing, and overseeing a decades-long campaign to murder American citizens and endanger the national security of the United States,” said Attorney General Merrick B. Garland. “On October 7th, Hamas terrorists, led by these defendants, murdered nearly 1200 people, including over 40 Americans, and kidnapped hundreds of civilians. This weekend, we learned that Hamas murdered an additional six people they had kidnapped and held captive for nearly a year, including Hersh Goldberg-Polin, a 23 year old Israeli American. We are investigating Hersh’s murder, and each and every one of Hamas’ brutal murders of Americans, as an act of terrorism. The charges unsealed today are just one part of our effort to target every aspect of Hamas’ operations. These actions will not be our last.”

"Yahya Sinwar and the other senior leaders of Hamas are charged today with orchestrating this terrorist organization's decades-long campaign of mass violence and terror — including on October 7th. On that horrible day, Hamas terrorists viciously massacred nearly 1,200 innocent men, women, and children, including over 40 Americans, kidnapped hundreds more, and used sexual violence as a weapon of brutality," said Deputy Attorney General Lisa Monaco. "Since that horrific day, we have worked to investigate and hold accountable those responsible, and we will not rest until all those who kidnapped or murdered Americans are brought to justice. Our thoughts continue to be with the families of all the victims of this barbaric terrorist attack."

"From the moment Hamas launched its horrific attack on October 7, the FBI has been dedicated to identifying and charging those responsible for these heinous crimes," said FBI Director Christopher Wray. "The FBI has and will continue to relentlessly investigate these attacks on civilians, including Americans. Hamas is a Foreign Terrorist Organization with a long history of violence, and the group's actions have resulted in increased terrorism threats in the U.S. and against American interests throughout the world. Countering terrorism remains our number one priority, and our work continues."

"The core mission of the National Security Division is to protect Americans from violent terrorists and extremist organizations like Hamas," said Assistant Attorney General Matthew G. Olsen of the Justice Department's National Security Division. "The atrocities committed by Hamas in Israel on October 7 are intolerable, and the Justice Department will not rest in our pursuit to hold Hamas accountable for perpetrating its campaign of terror, death, and destruction."

"For decades, Hamas and its leadership have dedicated themselves to the eradication of the State of Israel, and to murdering, maiming, and brutalizing anyone — including dozens of Americans — who stood in their way," said U.S. Attorney Damian Williams for the Southern District of New York. "The October 7 Hamas Massacres — in which over 40 American citizens were murdered — is only the latest act of savagery carried out by Hamas. This office has long been dedicated to serving as a bulwark against terrorism, and striking blows against its leaders. Our commitment is clear: if you hurt one member of our community, you hurt all of us — and we stand with all victims of Hamas' reign of terror. We will bring justice to this terrorist organization from the top down for the atrocities they have committed."

According to court documents, Harakat al-Muqawamah al-Islamiyya, commonly known as Hamas, is a terrorist organization that was founded in 1987, and has been designated as a foreign terrorist organization (FTO) by the United States since 1997. From its inception, Hamas' stated purpose has been to create an Islamic Palestinian state throughout Israel by eliminating the State of Israel through violent holy war, or jihad.

Hamas also promotes attacks against the U.S. and its citizens and, over more than two decades, Hamas has murdered and injured dozens of Americans as part of its campaign of violence and terror.

The defendants charged in the complaint are all senior leaders of Hamas who have orchestrated, overseen, and supported Hamas's decades-long campaign of terrorism, including the October 7 Hamas Massacres. They and their co-conspirators control all aspects of the terrorist organization, including its political and military branches, known as the Politburo and Izz al-Din al-Qassam Brigades (al-Qassam Brigades).

Ismail Haniyeh was the chairman of Hamas's Politburo from 2017 until his reported death on or about July 31. Prior to 2017, Haniyeh was the deputy chairman of the Politburo and the leader of Hamas in the Gaza Strip. Haniyeh was based principally in Turkey and Qatar.

Yahya Sinwar, also known as Abu Ibrahim, 61, is the leader of Hamas. Previously, beginning in approximately 2017, he was the leader of Hamas in the Gaza Strip, and is one of the founders of the al-Qassam Brigades. Sinwar is based principally in the Gaza Strip.

Mohammad Al-Masri, also known as Mohammed Deif and al Khalid al-Deif, was the commander in chief of the al-Qassam Brigades, a position he held from in or about 2002 until his reported death on or about July 13. Al-Masri was based principally in the Gaza Strip.

Marwan Issa, also known as Abu Baraa, was the deputy commander of the al-Qassam Brigades from approximately 2007 until his reported death on or about March 10. Issa was based principally in the Gaza Strip.

Khaled Meshaal, also known as Abu al-Waleed, 68, was the chairman of Hamas' Politburo from approximately 2004 to 2017 and is now the head of Hamas' diaspora office — effectively responsible for Hamas' official presence outside of the Gaza Strip and the West Bank. Meshaal is based principally in Qatar.

Ali Baraka, 57, has been Hamas' head of National Relations Abroad since approximately 2019, and was previously Hamas's representative in Lebanon. Baraka is based principally in Lebanon.

Hamas has pursued its objectives through innumerable acts of brutal terrorist violence, including launching thousands of rockets specifically targeting civilian populations; suicide bombings of restaurants, markets, public transportation systems, and other

public spaces; and military-style attacks on towns and residential communities. Hamas's campaign of terrorism has killed and wounded citizens of Israel, the U.S., and many other countries.

On Oct. 7, 2023, Hamas committed its most violent, large-scale terrorist attack to date — the October 7 Hamas Massacres. Hamas targeted civilian populations with a barrage of rockets, before waves of Hamas terrorists breached the border between the Gaza Strip and Israel, infiltrated Israel, and launched attacks on civilians, by land, sea, and air. Hamas sent thousands of armed fighters into southern Israel, where they carried out the massacres of over a thousand people and the kidnappings of more than 200 others. Hamas terrorists attacked civilians, firing handguns, assault rifles, and handheld rocket launchers, in small residential communities in Kfar Aza, Be'eri, Nir Oz, Nahal Oz, Re'im, Holit, Zikim, Kerem Shalom, Sufa, and others; the Israeli town of Sderot; and a music festival held near Re'im; among other places. Armed Hamas operatives attacked and shot civilians, including children, sometimes with machineguns and sometimes at point blank range, and weaponized sexual violence against Israeli women, including through rape and genital mutilation. Hundreds of civilians, including Americans, and Israeli soldiers, were killed and wounded; other victims, including Americans, were kidnapped, taken hostage, and brought into Gaza by Hamas. As of the date of the complaint, over 40 American citizens were among those murdered, and at least eight American citizens were taken hostage or remain unaccounted for. Most recently, Hamas executed a U.S. citizen who was taken hostage by Hamas during the October 7 Hamas Massacres and remained in captivity until he was murdered.

Throughout Hamas' existence, the organization's ability to carry out acts of terrorism, including the October 7 Hamas Massacres, has been fueled in part by the Government of Iran, particularly the Islamic Revolutionary Guard Corps (IRGC) and its Qods Force (IRGC-QF) — the element of the IRGC responsible for conducting external terrorism operations and providing support to terrorist groups — which has supported, supplied, and trained Hamas, and by the Lebanon-based Shia Islamic terrorist organization Hizballah. Hamas' attacks have played a significant role in the Government of Iran's regional and global campaign of supporting terrorism to weaken and ultimately destroy both the United States and Israel. Hamas' leaders, including the defendants, have been instrumental in Hamas' relationship with the Government of Iran, including through personal communications with leaders in the Iranian regime. Emblematic of this close relationship, Ismail Haniyeh, who had been the chairman of Hamas's Politburo since 2017, was reported killed in Iran on or about July 31, while visiting Tehran to attend the swearing-in of Iran's President. Hamas' leaders, including the defendants, have acknowledged the importance of the support from the Government of Iran and Hizballah to Hamas' ability to carry out the October 7 Hamas Massacres, including the

IRGC-QF providing Hamas, among other things, rockets and technical assistance necessary to build rockets, and extensive funding for Hamas' terror wing.

Hamas raises money to fund its terrorist activities through a variety of methods, including by soliciting and receiving cryptocurrency payments, advertising the ostensible anonymity of such transactions. Since 2019, Hamas' military wing has used social media and other platforms to call for cryptocurrency contributions from supporters abroad, including in the United States, to Hamas-controlled virtual wallets, explicitly acknowledging that those payments would be used to fund Hamas' campaign of violence. Through these mechanisms, Hamas has received tens of millions of dollars in cryptocurrency payments to fund its activities.

The complaint unsealed today charges each of the defendants with: conspiring to provide material support to a foreign terrorist organization resulting in death, which carries a maximum penalty of life in prison; conspiring to provide material support for acts of terrorism resulting in death, which carries a maximum penalty of life in prison; conspiring to murder U.S. nationals outside the United States, which carries a maximum penalty of life in prison; conspiring to bomb a place of public use resulting in death, which carries a maximum penalty of death or life in prison; conspiring to use weapons of mass destruction resulting in death, which carries a maximum penalty of death or life in prison; conspiring to finance terrorism, which carries a maximum penalty of 20 years in prison; and conspiring to violate the International Emergency Economic Powers Act, which carries a maximum penalty of 20 years in prison. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

The FBI is investigating the case.

Assistant U.S. Attorneys Sam Adelsberg, Jacob H. Gutwillig, Sarah L. Kushner, Michael D. Lockard, Ben Arad, and Samuel L. Raymond for the Southern District of New York and Trial Attorneys Alicia Cook and C. Alexandria Bogle of the Justice Department's National Security Division's Counterterrorism Section are prosecuting the case.

A complaint is merely an allegation. All defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.

Updated February 6, 2025