



*United States Attorney  
Southern District of New York*

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**MANHATTAN U.S. ATTORNEY FILES SUPERSEDING INDICTMENT  
AGAINST ALLEGED SOMALI PIRATE CHARGING INVOLVEMENT  
IN TWO ADDITIONAL HIJACKINGS**

*Captain And Crew Of Second Ship Still Being Held Hostage*

PREET BHARARA, the United States Attorney for the Southern District of New York, announced today the filing of a superseding indictment against ABDUWALI ABDUKHADIR MUSÉ. MUSÉ was previously indicted on May 19, 2009, for his alleged participation in the April 8, 2009, hijacking of the Maersk Alabama container ship in the Indian Ocean, and the subsequent taking of the captain of the ship as a hostage.

The Superseding Indictment filed today in Manhattan federal court further alleges that MUSÉ and others hijacked two ships before the Maersk Alabama, the second of which is still being held hostage.

MUSÉ was taken into custody by the United States Navy on April 12, 2009, while at sea in the Indian Ocean. On the same day, the United States Navy rescued the captain of the Maersk Alabama from a life boat in the Indian Ocean where he had been taken hostage by MUSÉ and three other men. On April 20, 2009, MUSÉ was transferred from the custody of the United States Navy to the FBI for transport to the Southern District of New York.

According to the Superseding Indictment and the criminal Complaint filed in Manhattan federal court:

In March 2009, MUSÉ, and others armed with firearms, boarded a ship ("Ship-1") as it was navigating in the Indian Ocean. After boarding Ship-1, MUSÉ and others threatened the captain of Ship-1 with a firearm; seized control of Ship-1; and held the captain and the crew of Ship-1 hostage on board Ship-1.

Furthermore, while on board Ship-1, MUSÉ pointed a gun at one of the Ship-1 hostages and threatened to kill him. MUSÉ also showed one of the hostages what appeared to be an improvised explosive device ("IED"). MUSÉ placed the IED in the vicinity of the hostage, and indicated that if the authorities came the IED would explode and the hostage would be killed.

Then, in April 2009, MUSÉ and others left Ship-1 on a small boat (the "Skiff"). When the Skiff returned to Ship-1, Ship-1 and the Skiff were made to rendezvous with another ship ("Ship-2") that was then navigating in the Indian Ocean. After Ship-1 and the Skiff arrived in the vicinity of Ship-2, the captain of Ship-1 was ordered to pull Ship-1 up to Ship-2. Ship-1 was then attached to Ship-2. MUSÉ and others held hostage, on board Ship-2, both the captain and the crew of Ship-1 and the captain and the crew of Ship-2. At the present time, the captain and the crew of Ship-2 continue to be held hostage on board Ship-2.

MUSÉ and three other pirates later left Ship-2, and boarded the Maersk Alabama after shooting at the ship from their own boat. Each of the four pirates who boarded the Maersk Alabama, including MUSÉ, was armed with a gun. Once on board, MUSÉ, who conducted himself as the leader of the pirates, demanded, among other things, that the ship be stopped. Several hours after boarding the Maersk Alabama, the pirates took a life boat from the ship, on which they held the captain of the ship as a hostage.

MUSÉ and the other three pirates then held the captain hostage on the life boat from April 8 to April 12, 2009. During this period, in radio communications between the pirates and the United States Navy, the pirates threatened to kill the captain if they were not provided with safe passage away from the scene. On April 12, 2009, MUSÉ requested and was permitted to board the USS Bainbridge, a United States Navy missile destroyer that had arrived on the scene. On the USS Bainbridge, MUSÉ continued to demand for himself and the other pirates safe passage from the scene in exchange for the captain's release. On April 12, 2009, MUSÉ was taken into custody by the United States Navy.

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"Piracy on the high seas is a threat against the community of nations. Today's indictment alleges criminal conduct that extends beyond the attack against the captain and crew of the American-flagged Maersk Alabama. Modern-day pirates who wreak havoc off faraway coasts will be met with modern-day

justice in the United States. I am grateful to our international law enforcement counterparts for their assistance throughout this case, and I extend a special thanks to our partners in the armed services for their heroism and hard work," said U.S. Attorney PREET BHARARA. He added that the investigation is continuing.

Mr. BHARARA praised the New York Joint Terrorism Task Force -- which principally consists of agents of the FBI and detectives of the New York City Police Department -- and the Naval Criminal Investigative Service for their extraordinary efforts in the investigation of this case. Mr. BHARARA also thanked the Counterterrorism Section of the Department of Justice, the Department of State, specifically the United States Embassy in Nairobi, Kenya, the FBI's Legal Attaché Office in Nairobi, and the Department of Defense. Mr. BHARARA also expressed his gratitude to the Government of Kenya and Maersk Line, Limited, for their cooperation and assistance.

The Superseding Indictment filed today in Manhattan federal court charges MUSÉ with the following offenses, carrying the following potential penalties:

<b>Count</b>	<b>Charge</b>	<b>Maximum Prison Term</b>
1	Piracy under the law of nations	Life*
2	Seizing a ship by force	20 years
3	Conspiracy to seize a ship by force	20 years
4	Possession of a machinegun during and in relation to seizing a ship by force	Life*
5	Hostage taking	Life
6	Conspiracy to commit hostage taking	Life
7	Possession of a machinegun during and in relation to hostage taking	Life*
8	Kidnapping	Life
9	Conspiracy to commit kidnapping	Life
10	Possession of a machinegun during and in relation to kidnapping	Life*

\*Count One carries a mandatory sentence of life in prison. Counts Four, Seven, and Ten also carry mandatory minimum

penalties of 30 years in prison if convicted on a single one of those Counts, or, if convicted of two or more of those Counts, a mandatory sentence of life in prison.

The case has been assigned to Chief United States District Judge LORETTA A. PRESKA. MUSÉ is scheduled to be arraigned on the charges in the Superseding Indictment today at 4:00 p.m.

Assistant United States Attorneys BRENDAN R. McGUIRE and JEFFREY BROWN are in charge of the prosecution.

The charges and allegations contained in the Superseding Indictment are merely accusations and the defendant is presumed innocent unless and until proven guilty.

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