



FOR IMMEDIATE RELEASE  
 Tuesday, June 9, 2009  
[WWW.USDOJ.GOV](http://www.usdoj.gov)

AG  
 (202) 514-2007  
 TDD (202) 514-1888

## Ahmed Ghailani Transferred from Guantanamo Bay to New York for Prosecution on Terror Charges

Ahmed Khalfan Ghailani, a Tanzanian national who had been held at the Guantanamo Bay detention facility since September 2006, arrived early this morning in the Southern District of New York to face criminal charges stemming from his alleged role in the Aug. 7, 1998 bombing of the U.S. Embassies in Dar es Salaam, Tanzania and Nairobi, Kenya.

After a thorough review of his case by the interagency Guantanamo Review Task Force, Ghailani was recently referred for criminal prosecution in the Southern District of New York pursuant to a March 12, 2001 superseding indictment against him.

Ghailani was transferred from the custody of the Department of Defense to the Southern District of New York by the U.S. Marshals Service. He is currently in custody at the Metropolitan Correctional Center, which has housed numerous terror suspects over the years during their prosecutions in the Southern District of New York. Ghailani is expected to make his initial appearance in Manhattan federal court later today.

Ghailani faces 286 separate counts in the March 2001 superseding indictment. Among other violations, the superseding indictment charges him with conspiring with Usama bin Laden and other members of al-Qaeda to kill Americans anywhere in the world, as well as separate charges of murder for the deaths of each of the 224 people killed in the U.S. Embassy bombings in Tanzania and Kenya and various other offenses related to the bombings.

"With his appearance in federal court today, Ahmed Ghailani is being held accountable for his alleged role in the bombing of U.S. Embassies in Tanzania and Kenya and the murder of 224 people," said Attorney General Eric Holder. "The Justice Department has a long history of securely detaining and successfully prosecuting terror suspects through the criminal justice system, and we will bring that experience to bear in seeking justice in this case."

The chart below details the charges against Ghailani and the statutory maximum penalties. The public is reminded that the charges and allegations contained in the superseding indictment are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

Count(s)	Description of Charge	Maximum Penalties
<i>Counts 1 – 6: Conspiracies to Murder, Bomb, and Maim</i>		
1	Conspiracy to Kill U.S. Nationals	Life
2	Conspiracy to Murder, Kidnap, and Maim At Places Outside the United States	Life
3	Conspiracy to Murder	Life
4	Conspiracy to Use Weapons of Mass Destruction Against U.S. Nationals	Death or life
5	Conspiracy to Destroy Buildings and Property of the United States	Life (mandatory minimum of 20 years)
6	Conspiracy to Attack National Defense Utilities	10 years
<i>Counts 7 – 286: The Africa Bombings</i>		
7	Bombing of the U.S. Embassy in Nairobi, Kenya	Death or life (mandatory minimum of 20 years)
8	Bombing of the U.S. Embassy in Dar es Salaam, Tanzania	Death or life (mandatory minimum of 20 years)
9	Use and Attempted Use of Weapons of Mass Destruction Against U.S. Nationals in Nairobi, Kenya	Death or life
10	Use and Attempted Use of Weapons of Mass Destruction Against U.S. Nationals in Dar es Salaam, Tanzania	Death or life
11–223	Murders in Nairobi, Kenya	Death or mandatory life
224–234	Murders in Dar es Salaam, Tanzania	Death or mandatory life
235–275	Murder of U.S. Employees in Nairobi, Kenya	Death or mandatory life
276	Attempted Murder of U.S. Employees in Nairobi, Kenya	20 years
277–278	Murder of U.S. Employees in Dar es Salaam, Tanzania	Death or mandatory life
279	Attempted Murder of U.S. Employees in Dar es Salaam, Tanzania	20 years
280–281	Murder of Internationally Protected Persons in Nairobi, Kenya	Death or mandatory life
282	Attempted Murder of Internationally Protected Persons in Nairobi, Kenya	20 years
283	Attempted Murder of Internationally Protected Persons in Dar es Salaam, Tanzania	20 years
284	Using and Carrying An Explosive During the Commission of A Felony	10 years consecutive
285	Using and Carrying A Dangerous Device During the Bombing Of the U.S. Embassy in Nairobi, Kenya	30 years consecutive
286	Using and Carrying A Dangerous Device During the Bombing Of the U.S. Embassy in Dar es Salaam, Tanzania	Life or 30 years consecutive

[Fact Sheet: Prosecuting and Detaining Terror Suspects in the U.S. Criminal Justice System](#)

###