Case Brief#1

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**United States v. Yousef**

327 F.3d 56 (2d Cir. 2003)

**Facts**

Ramzi Yousef went Manila with fake identity and name to accomplish an attack plan in U.S. airliners. They entered into the capital of Philippines during 1993-94. According to the plan, Ramzi Yousef had to place bombs on 12 U.S. aircraft with routes in Southeast Asia through 5 persons. The attackers planned to exit the plane during its first layover after fixing the bomb on the flight. During checking at the respective planes, their behavior was noticed when Yousef and Murad mistakenly started a fire. When they opened fire, there were burning chemicals in their Manila flat. The fire department was present with the police who found a laptop with notes on the plan and exposed the bomb components along with other evidence. Police took Murad and Shah into their custody through the Philippine authorities, however, Shah escaped successfully. Police caught Shah in the next month. Yousef, Murad, and Shah were charged for the conspiracy to bomb and for various other crimes. All three people were found guilty by the jury (*2gsdt9taurno8r7libghcc1oh5—United-States-v.-Yousef.pdf*, n.d.).

**Rules of Law**

The government of America did not go beyond its authority by trying a suspected terrorist in the country when the criminal conduct has not occurred within the territory of the United States but involved its airlines.

**Issue**

Whether the government of the United States can exceed its authority when a terrorist conducts any criminal act in its airlines but in the territory outside the U.S?

**Holding**

No. government of the United States cannot exceed its authority when terrorists conduct any criminal conduct in its airlines outside the territory. Jurisdiction support both domestic and international laws. The conduct depicted by Yousef is illegal in the Montreal Convention and his trial and conviction are both in consonance required by domestic law and the treaty obligations of the United State.

**Reasoning**

The defendant argued that it is against law to give information to the people who does to belong the respective territory. He believed that it violated the sixth amendment. On the other side, prosecution made an argument that Yousef provided information without being pressed to do so. However, according to the laws, Tokyo convention regulates the Jurisdiction over crimes committed on aircraft. They regulate terrorist acts and some other specific “Acts Committed on Board Aircraft”.  An unpretentious association between the aircraft and the country is mandatory by international law for the government to legally proclaim jurisdiction over crimes conducted on board.

**Conclusion**

All the terrorists were found guilty and Yousef has provided no reason to doubt the validity of his appeal. There was no objection against the authority if the district court to hear his trial. Therefore, it can be concluded that through pleading guilty, Yousef was raised the one objection to his conviction he raises in this plea so that district court judgment is affirmed.

**Outcome**

The government of the United States did not go beyond its legal power by trying a suspected bomber in the U.S, when the criminal act was planned and firing occurred outside U.S. However, the incident happened in its airliners. Jurisdiction is sustained by international and domestic laws. In addition, the nature of the crime cannot be linked to the place where the suspect is found. The place where Yousef and his fellow opened fire had bomb-making material, however, it was outside the territory of the U.S but in its airlines. Therefore, jurisdiction is also suitable under the “objective territorial principle” as the aim of the terrorist was to affect the foreign policy of the United States (*US v. Yousef*, 2002).

**References**

*2gsdt9taurno8r7libghcc1oh5—United-States-v.-Yousef.pdf*. (n.d.). Retrieved from https://www.docs.writing4money.com/uploads/orders/2gsdt9taurno8r7libghcc1oh5---United-States-v.-Yousef.pdf

US v. Yousef. , 327 F. 3d 56 (Court of Appeals, 2nd Circuit 2002).