

Somali pirate arrives in NYC, awaits court hearing

By VIRGINIA BYRNE
Associated Press Writer

A Somali teenager arrived to face what are believed to be the first piracy charges in the United States in more than a century, smiling but saying nothing as he was led into a federal building under heavy guard.

Abdiwali Abdiqadir Muse, the sole surviving Somali pirate from the hostage-taking of an American ship captain, was to appear in a courtroom Tuesday on what were expected to be piracy and hostage-taking charges.

Handcuffed with a chain wrapped around his waist and about a dozen federal agents surrounding him, the slight teen seemed poised as he passed through the glare of dozens of news cameras in a drenching rainstorm. His left hand was heavily bandaged from the wound he suffered during the skirmish on the cargo ship, the Maersk Alabama.

A law enforcement official familiar with the case said Muse (moo-SAY') was being charged under two obscure federal

laws that deal with piracy and hostage-taking. The official spoke on condition of anonymity because the charges had not been announced.

The teenager was flown from Africa to a New York airport on the same day that his mother appealed to President Barack Obama for his release. She said her son was coaxed into piracy by "gangsters with money."

"I appeal to President Obama to pardon my teenager; I request him to release my son or at least allow me to see him and be with him during the trial," Adar Abdirahman Hassan said in a telephone interview with The Associated Press from her home in Galkayo town in Somalia.

The boy's father, Abdiqadir Muse, said the pirates lied to his son, telling him they were going to get money. The family is penniless, he said.

"He just went with them without knowing what he was getting into," Muse said in a separate telephone interview with the AP through an interpreter.

He also said it was his son's first outing with the pirates after having been taken from his home

about a week and a half before he surrendered at sea to U.S. officials.

The young pirate's age and real name remained unclear.

Court documents list his name as Abduhl Wali-i-Musi, which the boy's parents have said is incorrect. His parents said he is only 16; law enforcement said he is at least 18, meaning prosecutors will not have to take extra legal steps to try him in a U.S. court.

It is extraordinarily rare for the U.S. government to try teenagers with crimes, and the dispute over the defendant's age could present a challenge to prosecutors. Experts said that teenage defendants are entitled to greater protections under international law, and his age could factor into a prison sentence if he is convicted.

Experts say international law recognizes that people under 18 are less mature, and more easily manipulated by adults, the claim being put forth by the defendant's parents.

The government has not said how it knows the defendant is 18, but verifying his actual age could prove difficult because of the

anarchy that has ruled Somalia for two decades.

Under international law, prosecutors must show the suspect belongs in federal court because the alleged crime would be a felony if it had been committed by an adult. They also must show it was a crime of violence and weapons were used.

Sandra Jenkins, a lawyer who has represented juveniles in federal court in New Orleans, said she expects the initial battle over his age will come when prosecutors claim he's an adult and a defense lawyer tries to convince a judge he's not. At that point, the defense would likely file a motion claiming the court is without jurisdiction, she said.

Muse's worried family asked the Minneapolis-based Somali Justice Advocacy Center to help get him a lawyer, said the organization's executive director, Omar Jamal.

"What we have is a confused teenager, overnight thrown into the highest level of the criminal justice system in the United States out of a country where there's no law at all," Jamal said. Muse speaks no English, he said.

The suspect was taken aboard a U.S. Navy ship, the USS Bainbridge, shortly before Navy SEAL snipers killed three pirates holding Maersk Alabama Capt. Richard Phillips, of Underhill, Vt.

The U.S. officials said the teenager was brought to New York to face trial in part because the FBI office here has a history of handling cases in Africa involving major crimes against Americans, such as the al-Qaida bombings of two U.S. embassies in East Africa in 1998.

Ron Kuby, a New York-based civil rights lawyer, said he has been in discussions about forming a legal team to represent the Somali suspect.

"I think in this particular case, there's a grave question as to whether America was in violation of principles of truce in warfare on the high seas," said Kuby. "This man seemed to come onto the Bainbridge under a flag of truce to negotiate. He was then captured. There is a question whether he is lawfully in American custody and serious questions as to whether he can be prosecuted because of his age."

British scientists discover a nearly Earth-sized planet

By JENNIFER QUINN
Associated Press Writer

In the search for Earth-like planets, astronomers zeroed in Tuesday on two places that look awfully familiar to home. One is close to the right size. The other is in the right place.

European researchers said they not only found the smallest exoplanet ever, called Gliese 581 e, but realized that a neighboring planet discovered earlier, Gliese 581 d, was in the prime habitable zone for potential life.

"The Holy Grail of current exoplanet research is the detection of a rocky, Earth-like planet in the 'habitable zone,'" said Michel Mayor, an astrophysicist at Geneva University in Switzerland.

An American expert called the discovery of the tiny planet "extraordinary."

Gliese 581 e is only 1.9 times the size of Earth — while previous planets found outside our solar system are closer to the size of massive Jupiter, which NASA

says could swallow more than 1,000 Earths.

Gliese 581 e sits close to the nearest star, making it too hot to support life. Still, Mayor said its discovery in a solar system 20½ light years away from Earth is a "good example that we are progressing in the detection of Earth-like planets."

Scientists also discovered that the orbit of planet Gliese 581 d, which was found in 2007, was

located within the "habitable zone" — a region around a sun-like star that would allow water to be liquid on the planet's surface, Mayor said.

He spoke at a news conference Tuesday at the University of Hertfordshire during the European Week of Astronomy and Space Science.

Gliese 581 d is probably too large to be made only of rocky material, fellow astronomer and

team member Stephane Udry said, adding it was possible the planet had a "large and deep" ocean.

"It is the first serious 'water-world' candidate," Udry said.

Mayor's main planet-hunting competitor, Geoff Marcy of the University of California, Berkeley, praised the find of Gliese 581 e as "the most exciting discovery" so far of exoplanets — planets outside our solar system.

"This discovery is absolutely extraordinary," Marcy told The Associated Press by e-mail, calling the discoveries a significant step in the search for Earth-like planets.

While Gliese 581 e is too hot for life "it shows that nature makes such small planets, probably in large numbers," Marcy commented. "Surely the galaxy contains tens of billions of planets like the small, Earth-mass one announced here."

Nearly 350 planets have been found outside our solar system, but so far nearly every one of them was found to be extremely

unlikely to harbor life.

Most were too close or too far from their sun, making them too hot or too cold for life. Others were too big and likely to be uninhabitable gas giants like Jupiter. Those that are too small are highly difficult to detect in the first place.

Both Gliese 581 d and Gliese 581 e are located in constellation Libra and orbit around Gliese 581.

Like other planets circling that star — scientists have discovered four so far — Gliese 581 e was found using the European Southern Observatory's telescope in La Silla, Chile.

The telescope has a special instrument which splits light to find wobbles in different wavelengths. Those wobbles can reveal the existence of other worlds.

"It is great work and shows the potential of this detection method," said Lisa Kaltenegger, an astronomer at the Harvard-Smithsonian Center for Astrophysics.



Image courtesy of Nasa.gov