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# Russian Veteran Taken From Afghanistan to U.S. for Terror Trial

By The Moscow Times

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Afghan security forces arrive at the site of an attack in Kunduz province, Afghanistan.

RICHMOND, Virginia — A Russian member of the Taliban made his first appearance in a federal court Tuesday, marking the first time a military detainee from Afghanistan has been brought to the U.S. for trial.

Irek Hamidullin's appearance before U.S. Magistrate Judge David Novak in Virginia represents the Obama administration's latest attempt to show that it can use the criminal court system to deal with terror suspects. His arraignment on 12 terrorism charges has been set for Friday morning before U.S. District Judge Henry Hudson, a former federal prosecutor.

U.S. officials say Hamidullin is a Russian veteran of the Soviet war in Afghanistan who stayed in the country and joined the Taliban. He was captured in 2009 after an attack on Afghan border police and U.S. soldiers in the Khost province. He had been held at the U.S. Parwan detention facility at the Bagram airfield before being brought to the U.S.

National Security Council spokeswoman Bernadette Meehan has said the decision to transfer him was made in light of the agreement by the U.S. that it will turn over all prisons in Afghanistan to the Afghan government by 2015. As of last month, there were 13 non-Afghan detainees at Parwan. The Obama administration is facing pressure to transfer those detainees before December, when the U.S.-led NATO combat mission ends.

Many Republican lawmakers believe that military detainees should only be tried in military courts, and that trying them in civilian courts undermines the notion that the U.S. is at war with al-Qaida and other extremists.

But the Obama administration has sought to try terror suspects in federal court wherever possible. Attorney General Eric Holder has said they are likely to receive swifter justice there.

Among the charges Hamidullin faces in an indictment unsealed Tuesday are providing material support to terrorists, conspiracy and attempt to destroy an aircraft of the U.S. Armed Forces and conspiracy to use a weapon of mass destruction. The "mass destruction" charge carries a possible death sentence, but Assistant U.S. Attorney James Gillis said the attorney general is not seeking death because of insufficient aggravating factors.

Several of the counts are punishable by up to life in prison.

Hamidullin, shackled and heavily guarded by federal agents, said little during his initial appearance, where Novak advised him of his rights and asked whether the defendant understood the charges. Federal public defender Robert Wagner and attorney Claire Cardwell were appointed to represent him.

According to the 19-page indictment, Hamidullin was an officer and tank commander in the Russian military during the 1980s and was trained in the use of such weapons as anti-aircraft machine guns and portable rockets. He became affiliated with the Taliban in 2001.

The indictment says Hamidullin commanded three groups of insurgents that attacked Afghan Border Police at Camp Leyza, one of six locations that the Taliban had identified as possible targets. He directed insurgents armed with anti-aircraft machine guns to fire at U.S. military helicopters responding to the attack, the indictment says, and later used a machine gun to shoot at U.S. troops and Afghan Border Police assessing damage at the battle site.

Assistant Attorney General John Carlin, head of the Justice Department's National Security Division, said the case is a reminder of the threats faced by U.S. military service members abroad and "highlights our resolve to use all tools to find and hold terrorists accountable wherever they operate in the world."

Joshua Stueve, spokesman for the U.S. attorney's office in the Eastern District of Virginia, said Hamidullin "was treated humanely and had access to medical care, cultural considerations and a personal representative" while detained in Afghanistan.

Prosecutors in the Eastern District of Virginia have experience with high-profile terrorism cases, including that of Sept. 11, 2001, conspirator Zacarias Moussaoui, who is serving life without parole after being convicted.

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