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Jury Convicts Ex-Russian Soldier of Terror-Related Charges

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RICHMOND, Virginia — A federal jury on Friday night convicted a former Russian military tank commander of planning and leading a Taliban attack on U.S. forces in Afghanistan.

Irek Hamidullin showed no expression as guilty verdicts were read on all 15 counts, including providing material support to terrorism, attempting to destroy U.S. aircraft and conspiracy to use a weapon of mass destruction. He faces up to life in prison. Sentencing was set for Nov. 6.

The verdict came after eight hours of deliberations and five days of testimony.

Defense attorney Rob Wagner declined to say whether the convictions will be appealed.

The case addressed the novel question of whether an enemy combatant captured on a foreign battlefield can be convicted in civilian court of being a terrorist. The Obama administration is trying to show it can use the criminal court system to deal with terror suspects — a move

criticized by some lawmakers who believe such cases should be handled by military tribunals — but the battlefield capture of Hamidullin and his transport to the U.S. for trial makes his case different from others.

Defense attorneys had tried unsuccessfully to have the indictment dismissed, arguing that Hamidullin, 55, was essentially a prisoner of war and ineligible for trial in civilian court.

Defense attorney Paul Gill renewed the argument in his closing remarks to the jury earlier Friday.

"This is war — everyone talks about it, that's what everyone has heard," he said. "Those kinds of conflicts do not and should not come to this court."

Prosecutors said federal law protects U.S. soldiers no matter where they are. Assistant U.S. Attorney Michael Gill said the evidence clearly shows he violated U.S. laws.

"He made confident, consistent and corroborated confessions," the prosecutor said in closing arguments.

Hamidullin did not testify. In secretly recorded interviews, he talked about planning the attack but denied ever firing a shot. He told investigators he was doing "God's work."

The judge barred the government from using the word "terrorist" and prosecutors were not allowed to mention Osama bin Laden.

According to U.S. officials, Hamidullin is a Russian veteran of the Soviet war in Afghanistan who stayed in the country and joined the Haqqani Network, a Taliban-affiliated militant group. He allegedly led three groups of insurgents in a 2009 attack on Afghan border police in Khowst province.

When U.S. helicopters responded to the attack, prosecutors say, the insurgents tried to fire at them with anti-aircraft weapons, which malfunctioned. Hamidullin was the lone survivor among about 30 insurgents. The coalition forces sustained no casualties.

Paul Gill argued that Hamidullin only attacked Afghan border police, not U.S. helicopters, and that there was reasonable doubt that he fired his AK-47 at soldiers who arrived later to conduct a battle damage assessment. Some U.S. soldiers said they saw Hamidullin shoot, while others said they did not see him fire the weapon.

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