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## **Pentagon Moves Ahead in Trial of Canadian Teenager**

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WASHINGTON - The Pentagon said on Thursday it had formed a military tribunal to hear the war crimes trial of a Canadian citizen jailed at Guantanamo Bay, proceeding even though a judge last month froze a similar case to allow the Supreme Court to decide the legitimacy of such trials.

The Pentagon formed a panel, formally called a commission, of six U.S. officers and two alternates and also named Marine Corps Col. Robert Chester as presiding officer to hear the trial of Omar Ahmed Khadr, charged last month with murdering a U.S. Army medic in July 2002. No trial date was set.

The 19-year-old Canadian citizen was 15 when he was sent to the jail for foreign terrorism suspects at the U.S. naval base at Guantanamo Bay, Cuba. He is also charged with attempted murder and aiding the enemy, but there are no plans to seek the death penalty against him.

U.S. District Judge Colleen Kollar-Kotelly halted proceedings last month in the case of Australian Guantanamo prisoner David Hicks to allow the Supreme Court to rule on the legality of those trials, the first of their kind held by the United States since World War Two.

Kollar-Kotelly's action came after the Supreme Court said it would decide, in the case of Yemeni Guantanamo prisoner Salim Ahmed Hamdan, whether President George W. Bush had the power to create military commissions to put foreign prisoners on trial for war crimes.

Air Force Maj. Jane Boomer, a Pentagon spokeswoman, noted judicial stays had been issued in the cases of Hicks, Hamdan and a third detainee, Sudanese Ibrahim Ahmed Mahmoud al Qosi, but said the government feels free to proceed in other trials.

"There currently are no judicial stays imposed on any of the other charged cases that we have, so the Office of Military Commissions will continue to move forward on those cases," Boomer said.

A total of nine of the roughly 500 men held at the prison have been charged. The fact so few have been charged has fueled criticism from rights activists of the Guantanamo prison, which opened in early 2002.

The Pentagon refused to identify by name any of the U.S. military officers serving on the Khadr case other than Chester.

Khadr is accused of tossing a grenade that killed Sgt. 1st Class Christopher Speer near Khost, in Afghanistan. The Pentagon previously announced it would not seek the death penalty against him or any of the others already

charged.

Khadr's lawyers contend he has been abused in U.S. custody and that his capture and detention at age 15 violated American responsibilities under accords regarding treatment of young people during war.

Human rights activists and military defense lawyers have criticized the commission rules, saying they favor prosecutors, allow evidence obtained through torture and hearsay and permit no independent judicial review. The Pentagon has promised "full and fair" trials.