NATIONAL CATHOLIC REPORTER
Published on *National Catholic Reporter* (http://ncronline.org)

Guantanamo detainees need mercy, protection

Claire Schaeffer-Duffy | Mar. 21, 2013 NCR Today

The election of Pope Francis momentarily cast a spotlight on Catholic teachings about social justice and solidarity with the poor, essential charisms for communicating the mercy of Christ to the world.

I can't think of place where that mercy is more needed right now than the U.S. military prison at Guantanamo. A majority of the 166 men detained there are in the second month of a hunger strike, according to their attorneys. The Associated Press has described [1] the strike as the largest and most sustained protest at the detention facility in several years.

On March 14, 51 Guantanamo lawyers sent an open letter [2] to Defense Secretary Chuck Hagel expressing their "grave concern about a mass hunger strike taking place at the prison" that is posing "a serious threat to the health and life of detainees." The letter urged Hagel to address the strike's underlying causes and "bring it to a prompt and acceptable end."

The lawyers said Guantanamo's commanders had failed to respond to a March 4 request for information about the hunger strike, which they believe was precipitated by widespread searches of the detainees' belongings, including their Qurans, an action prisoners perceive as religious desecration. According to the lawyers, the searches were conducted "seemingly without provocation" and come amid prisoners' reports of an increase in mistreatment.

"Now [the guards] want to return us to the darkest days under Bush. They said this to us. Please do something," Yemeni prisoner Bashir al Marwalah recently wrote to his attorney.

Capt. Robert Durand, Gauntanamo spokesperson, told Reuters [3] 24 men are involved, including eight men who are being force-fed a liquid nutritional supplement through a rubber hose inserted into their nose while they are strapped to a chair. Durand said two detainees have been hospitalized for dehydration.

In their letter to Hagel, the attorneys describe a significantly bigger protest: "We understand that most of the men in Camp 6, which holds the largest number of detainees at Guantanamo, have been on hunger strike since February 6 ... We have also received alarming reports of detainees' deteriorating health, including that men have lost over 20 and 30 pounds, and that at least two dozen men have lost consciousness due to low blood glucose levels, which have dropped to life-threatening levels among some. The information we have reported has been corroborated by every attorney who has visited the base or communicated with their client since February."

This is not the first hunger strike at Guantanamo, a "temporary" detention facility now in its second decade. There are at least half a dozen prisoners who have refused food for years and are being kept alive by force-feeding. While incidents of guard abuse may have triggered this hunger strike, the primary cause for the protest is undoubtedly the prisoners' general sense of hopelessness about their future. Of the 166 men still held at Guantanamo, 86 were cleared for release in 2011 by an interagency government task, yet they remain in a hellish limbo. Not guilty. Not free to go. An additional 46 men have been designated for indefinite detention by an executive order President Barack Obama issued two years ago.

Despite Obama's repeated assertions that closing the prison remains a priority for his administration, the release of the cleared prisoners has been excruciatingly slow, only three in the last two years. That pace is not expected to quicken any time soon.

Earlier this year, the State Department reassigned Daniel Fried, the career diplomat responsible for closing Guantanamo. No senior official was appointed to replace him (one of the State Department's legal advisers will assume Fried's responsibility), which suggests the men's cases will continue to stagnate in oblivion.

As it was, Fried's work had come to a virtual standstill following the resettlement of 70 prisoners in 2009 and 2010, says Andy Worthington [4], a British investigative journalist who has reported on Guantanamo for years. The goodwill of countries for accepting prisoners in need of resettlement dried up by 2010. In the last several years, Congress imposed onerous restrictions on the transfer of prisoners, prohibiting their resettlement in any country where lawmakers have doubts about the ability to monitor the men.

Additionally, Obama imposed a ban on the release of Yemenis at Guantanamo after a Nigerian recruited in Yemen tried and failed to blow up a plane bound for the United States on Christmas Day 2009. Of the 86 men cleared for release, 56 are Yemenis. Because of the ban, they are not going anywhere.

Accounts about the treatment of some of these detainees -- who, it should be emphasized, are being held unlawfully -- are shocking. Cleared for release in 2007, British resident Shaker Aamer, has not been allowed to return to England, hardly a high-risk country for the United States. Lawyers for Aamer, a man who has spoken up for the rights of his fellow prisoners and his own right to a fair trial, say he has been tortured, held in isolation for more than two years and "suffered abuse that is unfathomable in the twenty-first century."

In September, Yemeni detainee Adnan Farhan Abdul Latif died in solitary confinement. Imprisoned in Guantanamo for 11 years, he was first cleared for release six years ago. The U.S. military says Latif, a devout Muslim, committed suicide from an overdose of prescription medication complicated by acute pneumonia. But award-winning filmmaker Laura Poitras doesn't buy that explanation. Poitras met Latif's family in Yemen 2007 and hoped to one day film his homecoming.

"Why was he placed in solitary confinement when he was suffering from acute pneumonia?" she asked [5] in a New York *Times* column. "How could he have overdosed on medication, given the strict protocols at Guantánamo? Why did it take three months for the body to be returned to Yemen? And finally, why are his autopsy and toxicology report classified and being withheld from his family? "

Latif is the ninth man to leave Guantanamo in a coffin, Worthington says.

During his inaugural Mass, Pope Francis urged [6] those in power to use their position to protect "all of God's people," especially the poorest, the weakest, "those whom Matthew lists in the final judgment on love: the hungry, the thirsty, the stranger, the naked, the sick and those in prison." Surely included among the poor and weak are the men detained at Guantanamo. Stripped of the law's protection, they are suffering under a vicious, capricious system defined by politics and national security interests.

Those in power in our government should close Guantanamo, resettle or resolve the cases of the men confined there, and provide reparations to those tortured and wrongfully held. And they should do so now.

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[1] http://www.washingtonpost.com/world/the_americas/us-military-says-21-men-not-eating-as-hunger-strike-grows-at-guantanamo/2013/03/18/0981a61a-8fdc-11e2-9173-7f87cda73b49_story.html
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