

US judge allows for continued force feeding of Guantanamo Bay prisoner

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US District Court Judge Gladys Kessler on Thursday ruled to allow the continued force-feeding of 42-year-old Abu Wa'el Dhiab at the Guantanamo Bay prison complex in Cuba, reversing her previous injunction against the practice.

Kessler's three-page decision said the court had been forced to make an "anguishing Hobson's choice," in the decision to allow the procedure. It noted that "Mr. Dhiab's physical condition was swiftly deteriorating, in large part because he was refusing food and/or water."

"Thanks to the intransigence of the Department of Defense, Mr. Dhiab may well suffer unnecessary pain from certain enteral feeding practices and forcible cell extractions," the document went on to state, before adding, "However, the Court simply cannot let Mr. Dhiab die."

Kessler had days earlier ordered an injunction against force-feeding Dhiab so that the court could hold a conference on his status. Dhiab, a father of four, has been detained without charges at the complex for over 12 years. He was cleared for release from the camp in 2009, but has continued to languish in the camp at the hands of the Obama Administration.

Last year, he and dozens of other detainees took part in a hunger strike to protest their treatment, which was in turn suppressed by Guantanamo officials, who force-fed Dhiab and many others by inserting feeding tubes through their noses and directly into their stomach in an effort to break the protest. During last year's hunger strike, Kessler had spoken out against the practice, calling it "painful, humiliating and degrading."

The ruling states that Dhiab had agreed to be fed by a tube "if it could be done at the hospital in Guantánamo Bay, if he could be spared the agony of having the feeding tubes inserted and removed for each feeding, and if he could be spared the pain and discomfort of the

restraint chair."

Pentagon spokesperson Todd Breasseale said on Friday the US Defense Department could not allow "the detainees in our charge to commit suicide" and that the process had only been undertaken "in order to preserve life."

A real sense of the US government's efforts to "preserve life" were captured in the testimony of Guantanamo inmate Ahmed Rabbani, a father of three who had been held at the camp for over a decade. In statements delivered by his lawyer, Rabbani said that he had been subjected to continuous improper feeding practices. At one sitting, Rabbani testified that had "vomited blood on himself three or four times" before passing out. After this continued on several other occasions, authorities ascertained that he had contracted a chest infection.

On another occasion Rabbani stated that authorities had inserted the feeding tube upside down, so that upon insertion he felt as though it was being "pushed up into [his] brain." This had left him "screaming in pain," his attorney said.

Cori Crider, strategic director for the UK-based human rights group Reprieve stated that "[b]ecause of a peaceful protest aimed at securing basic legal rights, my client has been put through a painful, near-daily ordeal." She added that the US government's refusal to treat the detainees at the camp with minimal regard to basic human rights was "all you need[ed] to know about what is really going on at [Guantanamo]."

For its part, the Obama Administration has asserted continued power to detain and hold prisoners without charges at the complex. At a congressional hearing last Wednesday on the status of the Bush-era Authorization of the Use of Military Force (AUMF), State Department officials told members of Congress that the

president could continue to hold detainees at Guantanamo Bay whether or not the AUMF were repealed.



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