

# Physicians for Human Rights

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://phr.org/our-work/resources/closing-guantnamo-is-imperative-but-not-enough/>

## Public Facing Advocacy Writing

Sarah Dougherty, JD, MPH & Jennifer Ko, PHR Intern on January 23, 2015

During President Barack Obama's [State of the Union address](#) on Tuesday, he reaffirmed his commitment to closing the notorious prison at Guantanamo Bay:

*Since I've been president, we've worked responsibly to cut the population of Gitmo in half. Now it is time to finish the job, and I will not relent in my determination to shut it down. It is not who we are. It's time to close Gitmo.*

President Obama has repeated this promise many times, but it is worth reflecting on the progress made so far. Six years ago, on his second day in office, he signed an [executive order](#) to resolve the status of all [242 Guantanamo detainees](#) and to promptly close the prison. Currently, Guantnamos population stands at 122 detainees, its lowest level since the prison first opened in January 2002. Some 40 men have been transferred in the [last 18 months](#), half of these occurred in December 2013 and January 2014 alone.

The improved pace of transfers is encouraging and must continue. Of the 122 remaining men, 54 are approved for release, meaning that the relevant national security agencies (Department of Defense, Office of the Director of National Intelligence, Central Intelligence Agency, Joint Chiefs of Staff, Department of Homeland Security, Department of Justice, and Department of State) have unanimously agreed that the detainees pose no security risk justifying their continued detention. Another 10 detainees are being or have been prosecuted, while the remaining 58 men are eligible for further review.

This means that most of the men still at Guantanamo will never be charged with a crime, despite having been there for a decade or longer. Closing the prison is therefore critical to ensuring that the United States complies with its obligations under international human rights law, as well as its longstanding commitment to justice. But this is only part of the solution. The underlying problems of indefinite detention and abusive treatment of prisoners will persist if the remaining detainees are simply transferred to [federal supermax prisons](#) where solitary confinement and other inhumane practices are routine.

The medical literature provides compelling evidence that even brief periods in solitary confinement have severe psychological and physical effects on individuals, as detailed in a 2013 Physicians for Human Rights report, [Buried Alive](#). These include anxiety and depression, insomnia, hypertension, extreme paranoia, panic attacks, psychosis, post-traumatic stress disorder (PTSD), and increased risk of self-harm or suicide. This trauma is exacerbated if the person has previously undergone torture and ill-treatment, as many Guantanamo detainees have.

The recently released [report on CIA torture](#) by the U.S. Senate Select Committee on Intelligence sheds new light on what many of the 119 men who were held in CIA custody endured even before their arrival at Guantanamo, including waterboarding, sleep deprivation, solitary confinement, shackled stress positions, extreme temperatures, forced nudity, diapering, and sexual assault in the form of [rectal rehydration or rectal feeding](#). Currently, [29 detainees](#) from the CIA's torture program remain at Guantanamo. In addition, the public record is replete with evidence of the [systemic torture and ill-treatment](#) inflicted at Guantanamo by U.S. military personnel, [including health professionals](#).

This regime of institutional cruelty is perhaps clearest in the force-feeding of detainees protesting indefinite detention through hunger strikes. The World Medical Association recognizes force-feeding as a form of [inhuman and degrading treatment](#) that is ethically and clinically unacceptable. Rather than address these violations, the Obama administration continued to force-feed but stopped publicly releasing any information about the hunger strikes. Even worse, it is now considering punishing a [Navy nurse who refused to force-feed detainees](#) despite the American Nurses Association's [repeated statements](#) that his decision to abstain complies with professional and ethical standards.

As the UN Special Rapporteur on Torture and numerous authorities have made clear, force-feeding violates the prohibition against torture and ill-treatment, as do indefinite detention and solitary confinement. The United States must address not only the [psychological scar on our national values](#) that Guantanamo represents, but also the ongoing violations that will only continue if detainees are simply warehoused in federal prisons.

In the face of [political pressure to keep Guantanamo open](#), fueled in part by misinformation, the Obama administration must ensure that all 122 detainees are charged, tried, or immediately released, as justice requires. This represents a moral, legal, and security imperative. Indefinitely detaining men who have committed no crime betrays American values, undermines efforts to fight terrorism, and destroys the ability to advance democracy and respect for human rights worldwide. Or as the commander-in-chief noted on Tuesday: As Americans, we respect human dignity, even when we're threatened. We do these things not only because they are the right thing to do but because ultimately, they make us safer.

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