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Guantanamo News

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PHILLIPS: Spotlight on Gitmo again. The "New York " reports the U.S. military is going to extremes to end a hunger strike by prisoners at Guantanamo Bay, Cuba. It says prisoners are being strapped into chairs for hours a day, force-fed through tubes in their noses, and the process reportedly has reduced the number of hunger strikers from 84 to four since December.

Officials believe that some of the strikers would gladly have starved to protest their infinite confinement -- definite confinement, rather. And they say the feeding measures are consistent with those used in federal prisons.

Joining me now on the legal issues involved at Gitmo, international law expert Rahul Manchanda.

Rahul, good to see you.

RAHUL MANCHANDA, INTERNATIONAL LAW EXPERT: Good to see you, Kyra.

PHILLIPS: All right, first just looking back at what the "New York Times" is reporting. Prisoners strapped into chairs for hours a day, force-fed through tubes through their noses. I talked with officials within the army that have been there. They said, actually, they're little microscopic tubes. There's no resistance. Medical personnel do this. It's actually a very humane process. What do you know?

MANCHANDA: Well, that's true. There's no right to suicide. You're not allowed to just kill yourself. The reality is that this is not torture. It's a very humane procedure, carried out by medical doctors, medical personnel, to prevent people from committing suicide over time. And, you know, it really doesn't seem like there's any torture here at all.

PHILLIPS: Now, intravenously, wouldn't that be a little more humane and wouldn't that pretty much dispel any allegations of torture?

MANCHANDA: Sure, but I think that's where the microscopic tubing comes into play. The reality is intravenous would probably be more humane. It's a painless procedure, essentially, and certainly would, you know, solve the problem and keep them alive.

PHILLIPS: Has this happened at Gitmo prior to this hunger strike? I was trying to remember and research and wasn't sure if this has sort of been an ongoing thing every few months, every year.

MANCHANDA: Well, no, not really. This is the first time it's been publicized, at least. Last year, I believe in July, about 200 out of 500 went on a hunger strike. That number was reduced. They had some concessions, but that was quickly withdrawn. And now it looks like they're starting up again. From what I've heard, it's only 26 at this time right now.

PHILLIPS: What happens if one of those detainees that's on a hunger strike dies?

MANCHANDA: Well, not a very good thing. It would certainly look pretty awful. And I think that's probably why the U.S. government's trying to keep them alive. They're in custody right now and they have a lot of information that's essential for the war on terror. But it just wouldn't be very good publicly, citing the Abu Ghraib issue, from a few -- you know, from a few years back. But the reality is it would not be a good thing if somebody did pass away under custody.

PHILLIPS: What does the law say? Does the military have to feed them and have to make extreme efforts to keep them alive when they decide to go on a hunger strike?

MANCHANDA: Well, there are a lot of legal, ethical issues involved. Certainly, the United States does not allow someone to commit suicide. However, a person can refuse medical treatment, pharmaceuticals, if you will. But it calls into play the Terri Schiavo case, as well. People do have a right to refuse medical treatment. However, they do not have the right to commit suicide.

PHILLIPS: Interesting. So it's kind of a -- I mean, how do you define if they're trying to commit suicide? Some would say, look, they're just trying to prove a point. Because, also, I was being told that they are -- on this hunger strike, missing nine meals straight and then going back and eating again.

MANCHANDA: Well, certainly that is the case. And that would sort of militate against the whole notion of a hunger strike to death, if they're eating. It probably is more of a publicity stunt than anything else. Their counsel certainly is facilitating that argument.

But at the same time, it's really important to know the U.S. government is doing everything possible to maintain safe and humane conditions. And the feeding process is as humane as possible.

PHILLIPS: Rahul Manchanda, thanks for your time today.

MANCHANDA: Pleasure.