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Hunger Strike by Detainees Goes to Court

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WASHINGTON - Lawyers for a group of detainees at Guantánamo Bay, Cuba, have asked a federal judge to assume oversight of the military's management of a hunger strike there, asserting that the government has been concealing the full scope of the problem.

In a petition unsealed Wednesday, the judge, Colleen Kollar-Kotelly of the Federal District Court here, is told by the lawyers that some of their clients participating in the protest are in a graver state than the military has acknowledged.

Thomas Wilner, one of the lawyers, who represent 11 Kuwaitis detained at Guantánamo, said government lawyers had initially told him and Judge Kollar-Kotelly in a telephone conference that they did not believe any of the clients were involved. In the papers unsealed Wednesday, though, Mr. Wilner said that after the judge ordered the government lawyers to find out, they reported that three of those clients were taking part.

Then, Mr. Wilner said, he determined on a visit to the camp last week that actually 10 of them were involved. He described one, Abdullah al-Kandari, as a former member of the Kuwaiti national volleyball team who had kept himself in superb condition during more than three years in detention.

The court filing said the lawyers were shocked when they entered Mr. Kandari's cell.

"He was pale," it said, "bleary-eyed, disoriented, barely audible and had lost considerable weight."

Mr. Wilner said that Mr. Kandari had not eaten for 15 days but that the government had not included him on a list of hunger strikers or given him medical attention.

The hunger strike, a protest against conditions at the camp and long confinement without trial, began early last month. The military issued a statement Wednesday that referred to it as a "voluntary fast" and that said the camp's commanders were "taking actions to safeguard fasting detainees from harm."

The statement also suggested that the strike was abating. While the official tally of those participating last week was 105, Wednesday's statement said the number now was only 36.

The statement said 16 detainees were in the camp hospital and being fed through nasal tubes; last week, the number was 20.

"Department of Defense policy is to preserve the life of detainees," it said. "Detailed policy and procedures are in place to avert death from fasting and from failure to drink. The health status of detainees who are voluntarily fasting is closely monitored."

In addition to the court filing before Judge Kollar-Kotelly, lawyers from the Center for Constitutional Rights, in New York, have filed similar petitions with other federal judges here on behalf of several Yemenis.