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Report Says Pentagon Violated Medical Ethics at Guantanamo

Yochi J. Dreazen
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A coming article in the New England Journal of Medicine says the Pentagon violated medical ethics and international law by deeply integrating physicians and mental-health professionals into the interrogation of detainees at Guantanamo Bay, an accusation likely to intensify the political debate over the prison's future.

Drawing on several previously undisclosed military documents, the report in the publication's July 7th issue says the prison's health-care providers were told detainees didn't enjoy medical confidentiality, and were told to provide information on detainees' physical or mental health to interrogators even if they weren't asked to do so.

The report said that the documents also offered strong indications that mental-health professionals at the prison used detainees' medical records to build psychological profiles of the prisoners and help interrogators figure out more-effective ways of gaining information from them.

An internal Army Medical Command memo from earlier this year that is cited in the report, for instance, refers to the "interpretation of relevant excerpts from medical records" for "assistance with the interrogation process."

Doctors were effectively made "part of Guantanamo's surveillance network, dissolving the Pentagon's purported separation between intelligence gathering and patient care," the report concluded.

The report's authors, M. Gregg Bloche, a law professor at Georgetown University, and Jonathan H. Marks, a bioethics fellow at Georgetown University Law Center, said their findings raised new questions about the veracity of Pentagon assertions that detainees at the prison enjoyed medical privacy roughly comparable to that enjoyed by U.S. citizens and were treated by physicians interested only in their well-being.

"All of the evidence is fitting together into a pattern: in a systemic fashion, health information and clinical judgment played a role in developing interrogation strategies that included some pretty harsh abuses," Mr. Bloche said.

Pentagon officials rejected the criticism, arguing that medical confidentiality is never absolute and that military physicians have been repeatedly told that their highest responsibility is to protect detainees' mental and physical health. "To date, no investigation has produced credible evidence of military physician participation in the inhumane treatment of detainees," a Pentagon spokeswoman said.

The report comes amid a political firestorm about treatment of detainees at the prison, which was derided as a modern "gulag" in a recent Amnesty International report. There has long been a fierce partisan divide over the prison's future, with Democrats like former presidents Bill Clinton and Jimmy Carter arguing that it should be closed down, while Republicans defend it as a crucial part of the war on terrorism. But some Republicans have joined Democratic lawmakers in demanding the creation of an independent commission to probe the allegations.