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President Obama has vowed a renewed push to shut down the military prison at Guantánamo Bay more than four years after first pledging its closure. Speaking at a White House news conference, Obama called the indefinite imprisonment of more than 100 people unsustainable, but defended the ongoing force-feeding of those on a three-month hunger strike to win their freedom. Attorneys representing Guantánamo prisoners have welcomed Obama's closure pledge but have urged him to take immediate action, including the immediate release of 86 people already cleared for transfer and lifting his self-imposed moratorium on repatriating Yemeni nationals. We're joined by Pardiss Kebriaei, senior staff attorney at the Center for Constitutional Rights and lawyer for hunger-striking Guantánamo prisoner Ghaleb al-Bihani. "President Obama has made very important statements about Guantánamo before, as well, and what we need now is action," Kebriaei says. "It is a national security liability. It is legally unsupportable. It is morally wrong. It is unjust. The world knows it. President Obama knows it. The American people should know it. It needs to close."

**NERMEEN SHAIKH:** We begin today's show on Guantánamo. The Pentagon has confirmed it has sent at least 40 medical personnel to the prison to help force-feed hunger-striking prisoners who are protesting their indefinite detention and ill treatment. Lawyers say at least 130 of the 166 remaining prisoners at Guantánamo are refusing to eat as part of the hunger strike that began in February. Over 20 prisoners are being force-fed, a practice considered torture by the United Nations Human Rights Commission and condemned by the American Medical Association. One prisoner described force-feeding by saying it felt like, quote, a "razor blade [going] down through your nose and into your throat."

During Tuesday's press conference, President Obama addressed the situation at Guantánamo.

**PRESIDENT BARACK OBAMA:** I continue to believe that we've got to close Guantánamo. I think—

**BILL PLANTE:** [inaudible]

**PRESIDENT BARACK OBAMA:** Well, you know, I think it is critical for us to understand that Guantánamo is not necessary to keep America safe. It is expensive. It is inefficient. It hurts us in terms of our international standing. It lessens cooperation with our allies on counterterrorism efforts. It is a recruitment tool for extremists. It needs to be closed.

Now, Congress determined that they would not let us close it, and despite the fact that there are a number of the folks who are currently in Guantánamo who the courts have said could be returned to their country of origin or potentially a third country.

I'm going to go back at this. I've asked my team to review everything that's currently being done in Guantánamo, everything that we can do administratively. And I'm going to re-engage with Congress to try to make the case that this is not something that's in the best interest of the American people.

**AMY GOODMAN:** President Obama speaking on Tuesday at a news conference at the White House. He first vowed to close Guantánamo over four years ago.

To talk more about the issue, we're joined now by Pardiss Kebriaei, senior staff attorney with the Center for Constitutional Rights. Her client, Ghaleb al-Bihani, is one of the Guantánamo prisoners currently on hunger strike.

Welcome back to *Democracy Now!*, Pardiss. Can you respond to President Obama's statement yesterday?

**PARDISS KEBRIAIEI:** Yeah. Amy, it was an important statement. It was encouraging. It was time for the administration to say something, for President Obama to say something. We're now three months into a hunger strike at Guantánamo. But President Obama has made very important statements about Guantánamo before, as well, and what we need now is action to go with that important statement.

There are things that the president can do on his own in his administration starting now. He can, number one, appoint someone within the White House with the stature and the backing and the authority to get the job done. He said Guantánamo needs to close. It is a national security liability. It is legally unsupportable. It is morally wrong. It is unjust. The world knows it. President Obama knows it. The American people should know it. It needs to close. So, appoint someone to focus on this and lead the effort to closure, signal to his secretary of defense to start certifying people for transfer under the National Defense Authorization Act, and lift the blanket ban that continues on all repatriations to Yemen—that he imposed. That is clearly within his control. So there are specific things he can do now.

**NERMEEN SHAIKH:** And what about the claim that Obama has repeatedly made that it's Congress that is preventing him from taking some of the steps that you've outlined?

**PARDISS KEBRIAEI:** I think that's an excuse. I think cooperation by members of Congress would be important. Dianne Feinstein made an important statement last week calling for review of the cases of the 86 people. Of the 166 who remain, 86 have been approved for transfer by the administration. She called for the review of those cases and efforts to move those people out of Guantánamo. So, there is support within Congress. There are representatives who have said they would not only stand with President Obama, they would be cheering him. But ultimately, the authority rests with the president. He doesn't need Congress. There is authority within the NDAA for his secretary of defense to certify transfers. What's needed is political courage and action at this point. The administration transferred dozens of people before the NDAA went into effect. There were transfers happening in 2009 and '10. The NDAA and Congress got in the way. They have made it more difficult, but they have not made transfers impossible by any stretch.

**AMY GOODMAN:** Lay out the picture of Guantánamo now. You have 166 prisoners. The Obama administration has refused to admit how many people are on hunger strike. How many do you believe? Your—the man that—your client is on hunger strike. And lay out what—why President Obama has said he wouldn't release the people who are cleared, completely cleared, by the—explain who they were cleared by, the majority of people to be released.

**PARDISS KEBRIAEI:** That's right. Well, as far as who is on hunger strike, what we have said from the beginning is what we have heard from our clients, what every attorney who has

communicated with his or her clients since early February has said, which is that most of the men, most of the 166 men, at Guantánamo have been protesting since February 6th. There was a trigger point that was started by conditions at the camp, more restrictive conditions, searches of the Qur'ans. That was the trigger point. That strike has been going on for nearly three months now. We're over 80 days into the strike.

The response by the military at the beginning was to deny really anything wrong. There were five or six people, I think, they acknowledged were on hunger strike. Those numbers grew steadily over the weeks as we brought more and more information out. And at this point, the military itself acknowledges that a hundred people are on strike and over 20 people are being force-fed. I think the numbers at this point actually don't matter as much. I think we all accept now that there is a crisis going on at Guantánamo, that most—the military itself is saying a hundred of the 166 people are on strike, and that's really all we need to know as far as who is involved.

In terms of the picture of who we're holding right now, there are 166 people. Eighty-six of them have been approved for transfer. What that means is that every government agency, every administration agency with a stake in these detentions, has unanimously determined that those people do not need to be at Guantánamo. That means the Department of Defense, the director of national intelligence, the Department of Homeland Security—everyone with a stake in this matter—has unanimously determined that more than half of the population doesn't need to be there.

**NERMEEN SHAIKH:** Well, I want to turn to the question of force-feeding. Human rights lawyer David Remes represents 17 Guantánamo Bay prisoners. He described the process of force-feeding.

**DAVID REMES:** It can be extremely painful. One of my clients said that it's like having a razor blade go down through your nose and into your throat. They restrain detainees who don't need to be restrained. That's been happening during the hunger strike, because they want to make it as miserable as possible to be on hunger strike. Sometimes they use tubes that are larger than necessary, circumference-wise, which causes extra unnecessary pain. If a detainee resists being taken from his cell to be force-fed, a team of riot squad soldiers—they all look like RoboCops—enter and drag him there. It's really like—it's really like the way you would treat an animal. That's really—that's really it.

**NERMEEN SHAIKH:** Rupert Colville, a spokesperson for the U.N. high commissioner on human rights, described the force-feeding as, quote, "worrying."

**RUPERT COLVILLE:** It's clearly against the will of the people who are being forcibly fed. Then, in the view of the World Medical Association and indeed our view, this would amount to cruel, inhuman and degrading treatment, which is not permissible under international law.

**NERMEEN SHAIKH:** Pardiss, could you talk about the issue of force-feeding?

**PARDISS KEBRIAEI:** I think the most important thing to say is it is a clear violation of medical ethics, internationally accepted standards. To the extent that there are people on hunger strike who can make voluntary, informed decisions about refusing food, strapping them into chairs, forcing a tube up their noses and down into their stomachs and pumping liquid formula into their stomachs for an hour while they sit there is inhumane, and it is against ethical standards. That is how the military says we're saving life at Guantánamo. That has been the response to concerns about deteriorating health and people who are near death. The response has been, "Don't worry, we won't let people die. We will force-feed them." That's an absolutely untenable situation. We will soon have a camp full of men who will be force-fed.

**AMY GOODMAN:** On Tuesday, President Obama said keeping prisoners indefinitely at Guantánamo without trial was not in the interests of the United States.

**PRESIDENT BARACK OBAMA:** The notion that we're going to continue to keep over a hundred individuals in a no-man's land, in perpetuity—even at a time when we've wound down the war in Iraq, we're winding down the war in Afghanistan, we're having success defeating al-Qaeda core, we've kept the pressure up on all these transnational terrorist networks, when we've transferred detention authority in Afghanistan—the idea that we would still maintain forever a group of individuals who have not been tried, that is contrary to who we are, it is contrary to our interests, and it needs to stop.

**AMY GOODMAN:** One of the prisoners on hunger strike at Guantánamo is Afghan citizen Obaidullah. Last week, his family urged the U.S. and Afghan governments to release him. This

is Obaidullah's mother.

**OBAIDULLAH'S MOTHER:** [translated] I urge President Karzai and the Americans to help us and to release my son. She is my grandchild. Sometimes she cries and asks us about her father. We keep telling her that her father is coming. We keep her hopeful. But she's telling me that I'm lying to her and deceiving her. My father is not coming.

**AMY GOODMAN:** Obaidullah's daughter Maryam made a similar plea.

**OBAIDULLAH'S DAUGHTER MARYAM:** [translated] This is my father's photo. It was taken when he was young. And this is his recent photo, which I received last year. I urge President Karzai to release my father. I am disappointed.

**AMY GOODMAN:** Pardiss, if you could respond to what President Obama said, and the mother as well as the daughter of the prisoner Obaidullah?

**PARDISS KEBRIAEI:** I think President Obama's statement about holding people without charge indefinitely is important. There is questionable—in our view, no legal authority at this point to continue holding people who do not pose a threat to the United States. There are 86 people who the administration has determined don't need to be there. Their detentions are absolutely arbitrary. And as for the rest of the small group of people that the administration has determined at this point are too dangerous to release, it is not a sustainable situation at this point to continue holding them forever without charge. The president said that himself.

I think the family members here raises an important point about the role of other governments in addition to the United States. What I've heard consistently from my Yemeni clients, for example, is that it is the silence of the American government and the silence of the Yemeni government that is killing them. Eighty-nine of the 166 people who remain at Guantánamo right now are from Yemen. Their country, their government has said that it wants their citizens back. It is open to receiving them. But there needs to be much more—much more commitment and much more of a showing of real will to take people back, to take their own citizens back.

It also raises an important point about the role of the public, the American public. We're calling on President Obama—it's ultimately his responsibility and the responsibility of the governments of the countries of these people, but there's a role for the public, as well. People in the United States need to know what is happening in their name. These are people who were sold—prisoners who were sold into U.S. custody. They were transferred to an island that was deliberately selected, a military base that was deliberately selected, because the Bush administration believed the law wouldn't apply. They were held in cages for the first few months of their detention. They were held incommunicado, subjected to brutal methods of torture. That is who we're talking about. And there are people who have been protesting, groups like Witness Against Torture and other dedicated activists, but there needs to be much more, a louder voice by the American people about what's happening in their name.

**NERMEEN SHAIKH:** Well, for the people who oppose the closure of Guantánamo, what are the disadvantages that they perceive to trying prisoners who have not been cleared within the civilian U.S. judicial system?

**PARDISS KEBRIAEI:** I think that the administration had been ready to transfer people to the United States for trial, those—the small group of people that it has said it ever intends to charge. There were, at one—at its peak, there were nearly 800 people held at Guantánamo. There are a couple of dozen of that number who the administration says it ever plans to charge. The intention, I think, had been to bring them to federal courts here and to charge and try them here. The NDAA again got in the way of that. But those restrictions are not impossible. And I think we start, with closure, with looking at the group of people that the administration itself agrees don't need to be there, and that's more than half of the population. So if we're going to start somewhere, let's start with that group of people, the people that the administration has said years ago—said years ago—could leave.

**AMY GOODMAN:** Pardiss Kebriaei, I want to thank you very much for being with us, senior staff attorney with the Center for Constitutional Rights. Her client, Ghaleb al-Bihani, is one of the Guantánamo prisoners currently on hunger strike.