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Safeguarding Liberty, Justice & the Rule of Law

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Contact: Larry Akey, Director of Communications, (202)580-6922 [o] or (202)580-9313 [c]
lakey@constitutionproject.org

TCP Applauds Navy Decision Not to Discipline Nurse Who Refused to Force-Feed at Guantanamo

WASHINGTON, D.C. -- Virginia Sloan, president of The Constitution Project, a bipartisan legal watchdog group, offered the following comment in response to reports today that the Navy has dropped discharge proceedings against a nurse who refused to force-feed detainees at Guantanamo Bay:

"We are pleased that the Navy decided not to move forward with discharge proceedings. But this decision should not have been necessary, because the nurse never should have been asked to violate core ethical rules of the medical profession in the first place. As our Task Force on Detainee Treatment found two years ago, force-feeding at Guantanamo is form of abuse and must end."

The nurse refused, on ethical grounds, to participate in the force-feeding of hunger strikers at Guantanamo during the summer of 2014. The military cut short the nurse's deployment, investigated the case, and considered court marshalling the nurse. Instead, the Navy elected to form a Board of Inquiry to decide whether the nurse should be discharged. The Navy subsequently dropped those proceedings.

The Constitution Project's bipartisan, blue ribbon [Task Force on Detainee Treatment concluded unanimously](#) that force-feeding of detainees is a form of abuse and must end. Specifically, [they recommended](#) that: "The United States ... adopt standards of care, policies and procedures regarding detainees engaged in hunger strikes that are in keeping with established medical professional ethical and care standards set forth as guidelines for the management of hunger strikers in the 1991 World Medical Association Declaration of Malta on Hunger Strikes (revised 1992 and 2006), including affirmation that force-feeding is prohibited and that physicians should be responsible for evaluating, providing care for and advising detainees engaged in hunger strikes. Physicians should follow professional ethical standards including: the use of their independent medical judgment in assessing detainee competence to make decisions; the maintenance of confidentiality between detainee and physician; the provision of advice to detainees that is

consistent with professional ethics and standards; and, the use of advance directives."

Force-feeding at Guantanamo continues today under a thick veil of secrecy and pursuant to policies and procedures that remain inconsistent with longstanding medical ethics.

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[About The Constitution Project ®](#)

Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.

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