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Scorched asphalt at Megiddo Prison

The firing of 600 tear gas grenades at Palestinian prisoners on Nakba Day following their refusal to count off was unjustified, claims human rights lawyer Tamar Peleg in her complaint to the military advocate general. And how did the blazes begin in the inmates's tents?

By Amira Hass

B. and H., two young men who recently completed prison terms of a few months for throwing rocks at Israeli vehicles, have rich experience with tear gas. Since the beginning of the Intifada, when they were six or seven, they have taken part and participated in innumerable street battles and "hill battles" with Israel Defense Forces soldiers. But in their confrontation-rich lives they never inhaled as much tear gas as they did on May 14, 2000, while incarcerated at the military prison at Megiddo. They also never were as close before to a raging fire that threatened to harm them and their friends as on that day, at a prison where the IDF is responsible for the safety of the inmates. The events at Megiddo have faded away as if there were no Nakba Day (marking "the catastrophe," as Palestinians call the establishment of the State of Israel in 1948) incidents two months ago between soldiers and Palestinians in the territories. On May 14 at about 8 P.M.

the IDF Spokesman's Office issued the following announcement: "Beginning in the afternoon, the Palestinian prisoners at the Megiddo facility disturbed the public order. The disturbance began on Independence Day, when the prisoners held a protest march that was halted by the prison camp headquarters. [On May 14] the inmates... refused to disperse, despite pleas from the facility's commanders. The prisoners began to throw objects at the military police officers at the facility and began to burn their own tents. Fire trucks were called to the prison to put out the fire. During the event a military police officer was slightly injured and treated at the site, as were two inmates. The injuries resulted from smoke inhalation."

After midnight, the IDF Spokesman added the following information: "To calm the atmosphere and end the inmate rioting, military police forces used tear gas, as a result of which the riots stopped. Following negotiations with the inmates, the atmosphere cooled down and the situation returned to normal. During the event, two military police officers were injured slightly. In addition, three prisoners were injured slightly. The injured received treatment at the site. The head of the Military

Police, Brigadier General Yoram Tzahur, commended the professional, resolute and quick response of the military police forces during the event."

Attorney Tamar Peleg of Hotline - Center for the Defense of the Individual, did her own research of the events that day, based on testimony that she collected at the prison from 14 inmates, including their representatives, and on her talks with prison commanders. Last weekend Hotline submitted a complaint to the military advocate general by means of attorney Peleg, asking for a military police investigation of the "injury to the inmates by the hundreds of tear gas and shock grenades fired at them indiscriminately and without justification."

Three tent camps in the prison are used for housing inmates: B2, B3 and B4. (The latter housed 168 inmates at the time of the fire. It consists of about 1,600 square meters total divided into two areas, each containing five tents, toilet facilities, showers and a kitchen.) The camps are surrounded by high walls that are reinforced with concertina wire. Between the camps are paths for soldiers.

Megiddo Prison contains ordinary Palestinians who are imprisoned for short periods, or detainees awaiting trial: 612 prisoners and detainees in all, including some 30 minors. In early May, the prisoners at Prisons Authority installations declared a hunger strike to protest a worsening of their conditions of incarceration. The Megiddo prisoners sought to hold activities in identification with the hunger strikers. Their representatives told prison commander Golan and company commander Yossi that their vigil was not aimed against the prison authorities. On May 14, at about 5:40 P.M.

support vigils were initiated at the three camps within the facility. H. and B. knew that the vigils were taking place despite the authorities' refusal. "The inmates of camp B2," Peleg writes in her complaint, "who were the first to stand vigil, ended their shift and entered the tents. Immediately afterward the inmates at the other camps entered their own tents."

Company commander Yossi arrive at camp B3 shortly afterward and told the head prisoner representative, Mohammed Abu Amariyyah, that an additional roll call would be held over and above the three daily counts. Each roll call takes between 45 minutes and one hour. The prisoners agreed to hold a roll call earlier than usual, "if it's instead of the evening roll call and not an additional, punitive one ... Yossi the camp commander repeated that unless they sat for the roll call, they would be gassed and the roll call taken forcibly."

B. and H. remember that suddenly there was an "alarm." They use the Hebrew word to refer to the call for all soldiers to gather around the camps. The inmates with whom Peleg spoke remember the gas masks worn by the soldiers. "The gas grenade attack began at about 6:05 P.M.

on all the camps simultaneously," Peleg writes. "It was carried out in three waves

with breaks in between, and ended at 7 P.M. or shortly after."

The inmates of B4 lit two fires immediately; fire causes the gas to rise. In the break between the first two waves of grenades, and upon seeing the fires, "Yossi the company commander turned to Abu Iyad, the prisoner representative, in the presence of the deputy prison commander, and said: 'If you don't put them out, I'll show you what I'll do. I'll burn you and your prisoners.'" Shortly afterward, the fire reached the tents. Was the blaze that consumed half of B4 caused by the bonfires lit in order to reduce the tear gas damage?

"In camps B2 and B3, no bonfires were lit," Peleg writes. "Nevertheless, after the tear gas and shock grenades were thrown at them, fires broke out in the walls of the tents." The prisoners, while still fighting against the choking, burning and tears caused by the gas, fought the flames and prevented them from spreading and helped their friends who had passed out. In one half of B4, only three tents were damaged. But in the other half of B4, the fire consumed all five tents and the canteen. It "left scorched asphalt." Tent 22, which was far from the bonfires, was the first tent to burn in B4.

An act of Satan: At 4 P.M.

the water was turned off. B. and H. are convinced it was intentional. Peleg, on the basis of her conversations, guesses it was in order to make repairs. "The firefighters arrived with the start of the fire at B4, but went into action only after the tents were completely burnt up. The inmates were told that the firefighters were afraid they would be injured by the objects thrown at them. In the inmates' opinion ... the delay was intentional. The firefighters went into action when there was a danger to an electricity pole."

Peleg writes that at least 600 gas grenades were fired, including into places where people attempted to find shelter: the toilets and the kitchen. "All the prisoners in all three sections were injured to some extent by tear gas. The sick, who were not transferred from the camps to a safe place," were injured most of all. Some inmates were afraid to go to the clinic for medical treatment; in a clash on March 19, 1997, the injured were beaten by medics who brought them on stretchers to the clinic.

Peleg writes: "Some of the inmates threw anything at hand toward the fence - potatoes, onions, plates. Canned goods were the most dangerous 'weapons.' According to the representatives, this was contrary to their instructions. Nevertheless, they point out that the soldiers were not in danger." They stood behind high walls.

Mustafa Ouda, 39, an inmate of camp B4, was burned severely while trying to put out the fire in his tent.

".. [The soldiers] started to fire gas ... The gas entered and was thick in the tent. I

went out to the exercise yard ... I saw a fire in tent number 22 that began to spread ... We started taking down the tents. The soldiers continued to throw gas and shock grenades. While this was going on, the fire truck arrived. I saw soldiers standing in its way. The fire truck couldn't get through ... I paid for it with my right hand, which was badly hurt. ... About 10 minutes after I was burned, I asked Yossi the company commander to be taken to the clinic. I spoke with him myself near the fence. ... He saw my hand, which was as black as tar from the burn. He said he wasn't willing to speak with me. ... Later ... I spoke with an officer named Ron. I showed him my hand from a little way away and asked for a doctor. He looked and went on his way. Abu Iyad, the prisoner representative, also spoke with officers, but I wasn't taken to the clinic. At 10 P.M.

when they came for the roll call, I asked for a doctor again. I also went to Yossi the company commander."

Can't bend his fingers

He was taken to the clinic only at 2 A.M. "Against the medic's advice the prison doctor, Dr. Petronius, decided there was no need to transfer me to a hospital since there was no difference in treatment ..." The pain continued. It was only on May 31 that the doctor decided to send him to the hospital. "At the hospital I was told that the recuperation took a long time because I didn't come to them in time." One month after the incident Ouda still had complete loss of feeling in the hand. "I can't bend my fingers, I can't hold a pen. I signed a power of attorney using my left hand."

After the third wave of gas grenades, the prisoners agreed to sit for another roll call.

Peleg writes in her conclusions: "The grenades were thrown as punishment for the disciplinary violation and to enable disciplinary punishment [the roll call]. It achieved this aim, but this does not justify it ... The throwing of gas and shock grenades at a captive person ... is a violation ... When the throwing of the gas grenades began, the inmates did not represent a danger to anyone's life and limb. The throwing of the grenades was not intended to stop or prevent a criminal activity. The throwing of the grenades endangered human life ... it damaged the health of the captives, especially the sick among them ...