



Joint Urgent Appeal to the United Nations Special Procedures
For the Immediate Release of Palestinian Political Prisoner Walid Daqqa Diagnosed with Bone Marrow Cancer and Facing Imminent Deteriorating Health Conditions due to Israeli Prison Services Policy of Deliberate Medical Neglect

Date: 28 March 2023

Submitted by:

- Palestinian Human Rights Organizations Council
 - Addameer Prisoner Support and Human Rights Association
 - Aldameer Association for Human Rights
 - Al Haq Organization - Law in the Service of Mankind
 - Al Mezan Center for Human Rights
 - Defense for Children International – Palestine
 - Hurriyat - Center for Defense of Liberties and Civil Rights
 - Jerusalem Legal Aid and Human Rights Center
 - Muwatin Institute for Democracy and Human Rights - Observer Member
 - The Palestinian Centre for Human Rights
 - The Independent Commission for Human Rights - Observer Member

For the attention of:

- The United Nations Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967, Ms Francesca Albanese;
- Chair Rapporteur of the Working Group on Arbitrary Detention, Dr. Miriam Estrada-Castillo;
- The United Nations Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Ms. Tlaleng Mofokeng;
- The United Nations Special Rapporteur on Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment, Dr Alice Jill Edwards; and
- The United Nations Independent Expert on human rights and international solidarity, Mr. Obiora C. Okafor.

Introduction

Walid Daqqa, a 61-year-old Palestinian writer, activist, intellectual, and political prisoner from the Palestinian city of Baqa Al-Gharbiya, colonized in 1948, was diagnosed with a rare form of bone marrow cancer in 2022 and has been in dire need of urgent medical attention since then. Walid is one of 19 Palestinians who have spent more than 30 years in Israeli occupation prisons and one of 23 Palestinians who have been incarcerated since before the Oslo Accords came into effect in 1991. Doctors, including Israeli physicians, have insinuated that his worsening health is a result of the Israeli Prison Service (IPS)'s systematic practice of deliberate medical neglect, including a recent denial of emergency hospital transfer after Walid suffered from a blood-clot induced stroke in Askalan prison last month. He was finally moved to Barzilai Medical Center, 11 days after surviving the stroke, following the recommendation of the Askalan prison doctor.

Amidst deteriorating healthcare conditions for Palestinian political prisoners and the IPS's increasing weaponization of medical neglect to wage a psychological war on Palestinians in prison—tantamount to torture under international law—PHROC calls for the immediate release of Walid Daqqa and demands that he be provided the prescribed treatment that Israel has denied him so far.

Facts of the Case

On 25 March 1986, Walid Daqqa, a Palestinian thinker, political activist, and writer, was arrested by the Israeli occupying forces (IOF) and sentenced to life imprisonment, capped at a maximum term of 37 years. Walid was detained for allegedly partaking in armed resistance against the Israeli settler-colonial and apartheid regime in 1985 as a member of the Popular Front for the Liberation of Palestine (PFLP), a Palestinian political party outlawed by Israel. Today, 37 years later, Walid continues to be held captive by Israel, as he battles the malignant stage of a rare form of bone marrow cancer—myelofibrosis.

In 2020, after Walid's health began to deteriorate as he experienced blood-related health issues. Despite being advised by the prison doctor to undergo periodic blood tests, the IPS deliberately denied him access to these tests. On 7 December 2022, Walid was admitted to Barzilai Medical Centre following a sudden deterioration in his health, where he was subsequently diagnosed with leukemia. Further tests revealed that he was suffering from a rare form of bone marrow cancer, which has disrupted the normal production of blood cells, necessitating an urgent bone marrow transplant.

In January 2023, at the behest of Physicians for Human Rights Israel, Dr. Moshe Gatt, an Israeli hematologist based at the Medical Centre of Hadassah Hospital University in occupied and illegally annexed Jerusalem, conducted an evaluation of Walid's medical condition. Dr. Gatt observed that Walid has multiple cardiovascular risk factors such as smoking, increased blood pressure, and dyslipidemia, and has developed severe anemia after taking a preventative

chemotherapy drug. Dr. Gatt concluded that Walid is currently in the malignant stage of cancer. In his medical report, Dr. Gatt prognosed that without definitive treatment, as has been the case so far, Walid has an “average survival of about a year and a half.”

Dr. Gatt further noted that the drug prescribed to Walid by his own physician, who is assigned by the IPS, while providing temporary relief, severely compromised his immunity and increased his risk of contracting infections. The drug also decreased Walid’s total blood count, worsening the underlying cause of the cancer. The only curative treatment for Walid at present is a bone marrow transplant—one of the most difficult and dangerous medical procedures known. Dr. Gatt also recommended that Walid be relocated to a clean and hygienic environment where exposure to infections can be minimized, which is not possible inside the miserable conditions offered by Israeli occupation prisons.

In mid-February 2023, Walid suffered from a severe cardiovascular stroke that led to a physical injury on his chest. Despite requiring emergency treatment, the IPS at Askalan prison refused to transfer him to a hospital, and the in-house prison clinic declined to provide him with a necessary blood transfusion, despite diagnosing a blood clot as the cause of the stroke. Consequently, Walid lost a significant amount of blood through a minor tongue wound in the days following the stroke. Further, Walid’s medical records indicated that he lost over 10 kilos (22 pounds) in a month and a half. Only after his hematologist visited Askalan for a routine appointment, nearly two weeks after the stroke, was Walid finally transferred to Barzilai Medical Center. Similarly, as Walid developed symptoms of severe pneumonia over the past couple of weeks, the IPS once again ignored his health and evaded hospital admission until his lawyers and doctors intervened. Currently, Walid is being held in a private room at Barzilai, suffering from pneumonia, kidney failure, and a life-threatening drop in blood cell count.

It is undeniable that the IPS played a direct role, if not an exclusive role, for the life-threatening condition of Walid. The IPS deliberately denied him access to his periodic blood tests, which were prescribed as early as 2018, as a form of punishment for a minor violation of proscribed prison conduct - smuggling cell phones into his cell. As an indictment of this behavior, Walid’s life sentence was summarily extended by two years, and he was prevented from being released in 2023, further exacerbating his already dire situation.

Further, the IPS has deprived him of a timely bone marrow transplant—the only known treatment course that can save his life, despite the recommendation of every consulting physician. In flagrant disregard of the medical advice offered by Israeli hematologist Dr. Gatt, the IPS has continued to expose Walid to high-risk environments; and refused to transfer him to the hospital promptly, when he has succumbed to such risks. In each of these ways, the IPS has used the cruel and inhumane practice of medical negligence as a means of “slow killing”—wearing down Walid physically and psychologically, crumbling his resolve and resilience.

Israel has long been wary of Walid's political reach and his prominence as a prison activist. In prison, Walid obtained a master's degree in political science, wrote extensively on political theory, and published several works of fiction that discuss his ideas, aspirations and experiences around the movement for a liberated and free Palestine. In the past, therefore, the Israeli occupying forces have reneged on a prisoner exchange deal, set up in accordance with the Oslo Accords, that would have released him in 2014. Notably, according to the Oslo II Accords of 1994, all Palestinian prisoners taken into captivity prior to the agreement are required to have been released by now.

Walid, who has been subjected to several documented instances of psychological and physical torture during his four decades of incarceration, was placed in solitary confinement after publishing a children's book on the occupation of Palestine, titled *The Oil's Secret Tale*. In 1999, Israel submitted to pressure by prisoner's rights' activists and allowed Walid to marry his now wife, Sana' Salama, in Askalan prison. The couple celebrated their nuptials while in confinement, as Israel denies Palestinian prisoners the right to conjugal visits, which is permitted for Israeli prisoners. In 2020, the couple had a daughter named Milad, who was conceived through smuggled sperm. Walid wrote another book, *Parallel Time*, based on his experiences, of a child of a Palestinian prisoner who was similarly born through smuggled sperm.

In February 2023, the Israeli occupying forces raided the home of Sana' and Milad Daqqa in Baqa Al-Gharbiya and confiscated books, pictures, and personal belongings on the allegation of "inciting terrorism." Currently, Israel is denying Sana's right to visit her husband, as he fights a life-threatening condition at Barzilai Medical Center. In other words, Israel has launched a sustained campaign of collective punishment targeting the Daqqa family to retaliate against Walid's unfettered and powerful voice and resilience while opposing Israel's settler-colonial and apartheid regime.

The Illegal and Arbitrary Policy of Medical Negligence in Israeli Occupation Prisons

The instrumentalization of medical negligence as a tool to denigrate, demoralize, and punish Palestinian prisoners is emblematic of Israel's illegal and inhumane prison system. In December 2022, 50-year-old Palestinian political prisoner Nasser Abu-Hamid passed away due to cancer that had prematurely accelerated to malignancy because of gross medical negligence in Askalan prison. Despite repeated calls by Palestinian civil society and the international human rights community, including a submission by Special Rapporteurs Francesca Albanese and Tlaleng Mofokeng to Israel, the Occupying Power denied Nasser an early release on humanitarian grounds and a dignified end to his life. After his death in custody, Israel refused to hand over his body to his family, withholding Nasser's right to a proper burial. This constitutes a form of psychological punishment employed to degrade and humiliate the families of killed and deceased Palestinians.

At present, the Israeli occupying authorities continue to hold the bodies of twelve Palestinian prisoners who passed away during their incarceration including, Anis Doula (deceased in 1980), Aziz Owaisat (deceased in 2018), Fares Baroud, Nassar Taqatqa, and Bassam Al-Sayeh (deceased

in 2019), Saadi Al-Garabli and Kamal Abu Wa'ar (deceased in 2020) Sami Al-Amour (deceased in 2021), Daoud Zubeidi and Nasser Abu-Hamid (deceased in 2022), and Ahmad Abu Ali and Wade' Abu Rmooz (deceased 2023). Since 1967, the total number of Palestinian prisoners who have passed away in Israeli occupation prisons has reached 236. Of whom, 75 prisoners (32%) passed away as a result of Israeli medical negligence. This phenomenon is perpetuated by the denial of access to specialized healthcare and periodic check-ups, in addition to ill-treatment of ailing prisoners, including the inhumane practice of shackling them to their hospital beds. Furthermore, the detention of Palestinians prisoners' bodies in freezers is an additional form of psychological punishment, and collective punishment.

Additionally, many Palestinian prisoners, such as Hussein Maslama, have passed away shortly after their release from diseases they contracted inside Israeli prisons. As seen in the case of Walid Daqqa, who contracted pneumonia while in Askalan, Israeli prisons are breeding grounds for infectious diseases, evidenced by the mass, uncontrolled outbreak of COVID-19 in prisons, two years ago. Palestinian prisoner Nasser Abu Hamid, who served most of his sentence in Askalan and succumbed to lung cancer in December 2022, spent his last days in an overcrowded prison cell that lacked natural light and ventilation, and retained excess humidity, violating the United Nations Standard Minimum Rules for the Treatment of Prisoners.

In sum, the Israeli occupying authorities persist in their brazen violation of international norms and conventions that seek to protect prisoners, especially those who are weak and ailing. For instance, Israel continually violates international humanitarian law that guarantees the provision of necessary medical care to those who are sick. Furthermore, the collective and retaliatory penalties that are targeted directly at Palestinian prisoners, but punish Palestinian people at large, can be perceived as collective punishment and a mean to control the Palestinian people. In addition to the specific clauses of the international human rights law and international humanitarian law that Israel has violated through its inhumane incarceration policies, incriminating itself in the eyes of international law, the very premise of Israel's imprisonment of Palestinians exposes and is reflective of its settler-colonial and apartheid regime.

Conclusion and Recommendations

Considering Walid Daqqa's rapidly deteriorating health, the grave threat to his life posed by his incarceration in a disease-ridden hospital and prison, the summary extension of his life sentence by two years on spurious charges, the enforced physical separation between Walid and his family during a life-threatening medical emergency, and the larger structures of illegality within which these inhumane aspects of Walid's incarceration operate, PHROC calls your respected mandates to:

- I. Urge Israel to immediately grant humanitarian release to Palestinian political prisoner Walid Daqqa and guarantee his right to life, health, and dignity; and to abide to its legal obligations, under international human rights law, in this regard;

- II. Urge the Israeli Prison Services to ensure prompt access of advanced and timely treatments prescribed by medical specialists to Walid Daqqa, including a clean and infection-free environment, and access to donors and facilities for a bone marrow transplant;
- III. Call for the immediate extension of prison and hospital visitation rights to Walid Daqqa's family, including wife, Sana' and daughter Milad, so they can visit Walid at Barzilai Medical Center;
- IV. Urge the International Committee of the Red Cross to raise compliance to the legal humanitarian obligations and guaranteed under the Fourth Geneva Convention that enlist the rights of prisoners in occupied territories; and
- V. Call on the international community and all High Contracting Parties to the Fourth Geneva Convention to fulfill their legal obligations towards upholding Palestinian human rights and enforcing the implementation of international humanitarian law.

END