

# Hotline for Migrant Workers Annual Report 2009



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# I. Organizational Highlights



*"The HMW's influence on policy goes way beyond the number of staff and volunteers. In the spirit of our ancestors, and with great devotion, they fearlessly fight for social justice, rooted in the conviction of the country's moral obligation towards the victims of this grave offense"*

## **National Trafficking Award**

The Hotline for Migrant Workers was honored to win the first ever national anti-trafficking award from the Israeli government. On March 29th, together with former MK Zahava Gal-On and the police investigations unit in Tel Aviv, we were awarded anti-trafficking prizes by the President of the State of Israel, Mr. Shimon Peres.

The selection committee noted: "Employees and volunteers at the HMW work with a sense of mission, without payment and sometimes at a high personal price. Their dedication and determination is without limits; they work long hours under pressure and difficult conditions with single-minded commitment to their goals." They also wrote: "The HMW's influence on policy goes way beyond the number of staff and volunteers. In the spirit of our ancestors, and with great devotion, they fearlessly fight for social justice, rooted in the conviction of the country's moral obligation towards the victims of this grave offense."

## **The Hotline for Migrant Workers: A Decade of Activism for Migrants Rights**

In November, the Hotline released a report entitled "For We Were Strangers" in honor of our 10 year anniversary. We also prepared a short basic document on the organization, a position paper in Hebrew and English summarizing some of the report's findings and created a CD for the occasion containing copies of our reports and other materials on the organization. The release took place at a festive ceremony on November 9th at the Gay Pride Center in Tel Aviv. Some 100 people attended and it stimulated 31 media items.



## II. Major Issues





## Deportation Campaign

On July 1st, Israel launched a new deportation campaign with the stated goal of deporting some 200,000 people. Those targeted included:

- **Children of Migrant Workers:** Most of those slated for deportation (due to start August 1st) were born in Israel and are products of the Israeli school system. They speak Hebrew and completely identify as Israelis never having been to their parents home countries.
- **Migrant Workers:** Most have come at the invitation of employers with government-issued work permits. Due to poor policy, many subsequently lost legal status through no fault of their own. The campaign was anticipated to disproportionately victimize female caregivers, many of whom have only recently arrived in Israel.
- **Refugees:** At the time, the government had placed geographic restrictions limiting where the vast majority of refugees in Israel were permitted to live and work; as such, they were not permitted to live south of Hadera or north of Gedera [Hadera/Gadera]. This forced them into Israel's peripheral areas, where employment opportunities are extremely limited. Being restricted from central Israel also distanced them from access to human rights organizations centered in Tel Aviv.

On July 1st, a newly formed enforcement unit under the purview of the Ministry of Interior – the Oz Unit – began checking papers and conducting arrests. At that point, arrests of children and families had not yet begun. Rather, officers focused their energies on migrant workers and refugees. Due to public criticism, Oz members were not permitted to arrest migrants who had lost their legal status prior to being in Israel for five years; a common situation.

To their chagrin, it was difficult for Oz to find migrant workers eligible for arrest and deportation.



Instead, they arrested refugees violating the Hadera/Gadera regulation.

During the second half of July, we released an analysis of those arrested and detained during the first two weeks of July. Our data, collected by volunteers, was based on those we saw in detention. Of the 221 people arrested (only 18 of them women), 64% were refugees violating the Hadera/Gadera restriction (and can't be deported), 20% were tourists or others and only 16% were migrant workers (a total of 35 people) who had initially arrived in Israel with legal work permits. This report reflected poorly on Oz's ability to achieve their stated goal of deporting 200,000 migrant workers and generated significant critical media attention.

During the month of July, together with our partners, we implemented a number of intensive and emergency activities aimed at educating the public about the people being targeted by this campaign while providing aid to those arrested. For example:

- We attended three Knesset meetings, prepared one position paper and sent two letters to government officials.
- We prepared recommended legislation preventing the detention of children and this was subsequently presented to the Knesset.
- We implemented an eight hour media advocacy course for some 10 children between the ages of 12-18.
- We conducted nine meetings with community groups.
- We recruited 100 short-term volunteers. Of them, 82 conducted 43 different tours of South Tel Aviv and distributed about 14,000 rights sheets. They also provided real-time updates of the situation on the ground.



*We succeeded in garnering immense public support, and significant lawmaker support, for children of migrant workers.*

- Eight additional volunteers assisted us by taking pictures at events and protests, and during arrests.
- Ten volunteers responded to talk-backs in the media.
- We planned or assisted in the planning of five public events and protests.
- We attended six coordination meetings with NGO partners.
- We initiated some 250 media items.

On July 30th, our efforts began to bear fruit with the cancellation of the Hadera/Gadera policy and a freeze on the deportation of children and families of migrant workers until November 1st. On November 1st, the Prime Minister's office announced that deportation of families will not take place until the end of the current school year. In the meantime, the government has stated an intention to formulate policy regarding this matter.

Perhaps even more significant than the short term accomplishments are some more substantive achievements. For example, we succeeded in garnering immense public support, and significant lawmaker support, for children of migrant workers. On the issue of migrant labor, after years of talking about the 'revolving door' (bringing in workers on one hand, and deporting them on the other), we succeeded in having the media adopt – and educate about – this issue. It is now a known and accepted concept among the public when assessing the situation of migrant workers in Israel. Significantly, the vast majority of media coverage, on all issues, was very sympathetic.





**Crisis Intervention Center Activities:** Some 30 regular volunteers conducted the following activities

Statistic	Refugees	Migrants	Children, Minors and Families	Yearly Totals
Visits to Detention	173	140	28	248*
People Assisted	2,320	953	483	3,756
Men	1,852	503	-	2,581
Women	468	450	-	1,175
Total Actions Conducted	5,006	1,811	533	7,351
People Provided with Para-Legal Representation	1,179	203	33	1,415
Actions Conducted for those Represented	1,345	298	46	1,687
Letters Sent on behalf of Clients	653	379	55	1,087
Success Rate in Representation	72%	51%	42%	68%
Number released from detention with our assistance	858	43	5	906

\* Some detention centers hold both refugees and migrant workers and volunteers meet with both when visiting the prison. Visits of that nature are counted under refugees AND migrants which explains why the total number of visits is smaller than the sum of visits to individual groups.

*Refugees continue to risk their lives trying to enter Israel. Those that cross into Israel in areas where the army is not conducting Hot Return are immediately placed in detention.*

## Refugees and Asylum Seekers

**Background:** At the close of 2009, some 19,000 asylum seekers were in Israel, some 85% of whom are from Eritrean and Sudan (both South Sudan and the Darfur region). According to data from the Ministry of Defense, 4,787 asylum seekers entered Israel via the Egyptian border in 2009 - a decline of 38% from 2008. Of those, many are unaccompanied minors and/or children accompanied by their parents.

Refugees continue to risk their lives trying to enter Israel. In 2009, 19 were killed crossing the Egyptian border and we estimate dozens were deported back to Egypt without any in-depth examination of their cases. Unfortunately, a petition against this policy (Hot Return) has yet to yield any significant results. Those that cross into Israel in areas where the army is not conducting Hot Return are immediately placed in detention. At the end of 2009, close to 2,000 asylum seekers were held in detention: about 1,500 at Ketziot and 350 at Givon. This includes 30 unaccompanied minors, 173 women and 30 children.

Those released from prison do not fare significantly better. With the exception of 2,000 Eritreans who have work permits, and 498 Darfuris who have temporary residency status, the vast majority of these refugees are neither entitled to work permits nor social benefits. This forces them to work on the black market where they are subject to exploitation. Furthermore, while they are not being deported, they are also not being examined for refugee status (rather, they have a temporary group protection status). Thus, they are stuck in on-going limbo regarding their futures. This creates tremendous anxiety among some while lack of services exacerbates existing traumas.



**Infiltrators Law:** Intensified efforts are also being made to discourage asylum seekers from entering Israel. In June, the government passed a first reading of a revised version of the Law to Prevent Infiltration. In violation of the State of Israel's obligations to the United Nations Convention Relating to the Status of Refugees, the bill states that refugees who never committed a crime could be jailed for up to twenty years, refugees could be deported to their home countries in a manner that could endanger their lives, and the deeds carried out by aid organization employees and volunteers could become criminal. In early 2010, prior to final discussions on this legislation, we engaged in renewed efforts to ensure it does not pass.

**From the Legal Department:** We submitted 12 principled letters as a pre-cursor to legal action taken below

Court Filed	Refugees	Migrants	Minors	Children of Migrant Workers	Total
High Court – New Petitions	1	2	-	-	3
High Court – Filed in Previous Years	3	2	-	-	5
District Court – New Petitions	-	4	-	2	6
District Court – Filed in Previous Years	6	-	2	6	14
Total	10	8	2	8	28





## Labor Migration

Today, some 120,000 government-issued work permits are in circulation - the highest number yet recorded. The largest sector is caregivers with 54,000-61,000, while agriculture has 24,000-29,000 and construction has 12,000. Today's labor migrants pay between \$3,000 (Philippines) to \$30,000 (China) for the privilege of working in Israel.

Unfortunately, in many cases, migrant worker's legal status – and ability to stay in Israel and pay off their debts – is still dependent on their employer. In 2006, the High Court ruled against this policy [the binding policy], however implementation of new employment systems has been extremely slow. Since 2005, a different system has been used for construction workers while Thai workers are still completely dependent on their employers. Consequently, there are many cases of forced labor among Thais.

In 2009, the government implemented a new system of employment for caregivers. One of the key aspects of the system was the establishment of a computerized database for unemployed caregivers. This was intended to be a one-off procedure to help those without employers find employers and to prevent manpower agencies from bringing in new migrants instead of employing those already in Israel. Registration took place from February 5th to March 15th. During that time, no arrests were made. At the close of registration, caregivers were given two months to find employers or risk deportation.

However, there were a number of serious flaws in the registration process: its existence was advertised in Hebrew on the website of the Ministry of Interior and one notice was placed in the



Jerusalem Post. Registration was only open for a month and those who did not register were threatened with deportation. Perhaps most severely, many of the clerks at the Ministry of Interior were unaware of this campaign and did not actually register people while, in many cases, manpower agencies promised to register workers and then didn't. As a result, the vital protection such a system was supposed to provide has gone unrealized.

In response, we are representing four unemployed caregivers who registered with the system but have been unable to find new employers. We are claiming that this database should be permanent, not temporary, and that it should be implemented in accordance with the regulations established by the government. In the meantime, manpower agencies continue to bring in workers while thousands lacking legal employment remain in Israel.

## Media Items

Media	Refugees	Migrants	Minors and Children	Trafficking	Total
Newspaper	172	143	87	33	435
Radio	14	34	25	5	78
TV	18	21	12	2	53
Foreign Media*	62	45	21	9	137
Total	204	198	124	40	566

\* These numbers are also integrated into the above categories.

*The government opened two new programs to assist Israeli women working in prostitution (who may be forced to work under conditions that constitute trafficking) and opened a shelter for male migrants who were employed under conditions of slavery or forced labor.*

## Trafficking

In 2009, we continued to be frustrated by poor identification of survivors and a lack of appropriate enforcement against violators, particularly in the realm of labor trafficking. On a more positive note, the government opened two new programs to assist Israeli women working in prostitution (who may be forced to work under conditions that constitute trafficking) and opened a shelter for male migrants who were employed under conditions of slavery or forced labor. By the end of 2009, some 50 Thai workers had been placed in this shelter.

## Lectures

Institution	Refugees	Migrants	Trafficking	Total
Academic Institutions	1	11	6	15
Schools and Youth	4	9	2	8
Teachers	-	1	1	2
Other	3	-	1	3
NGOs	1	3	4	8
Army	4	1	6	10
Client Groups	6	6	-	12
General Public	4	6	6	11
Government Agencies	-	2	8	10
Total	23	39	34	96



*In 2006, when the Ministry of Interior decided not to renew his visa, we filed a legal petition on his behalf. While the court prevented his deportation, he was never issued with paperwork legalizing his status*

## Unaccompanied Minors

After witnessing the death of his parents and two younger brothers at the hands of rebels at the age of 10, Jean-Luc and his sister went to live with their grandfather in a distant village. They were very poor, too poor to attend school, and the little money Jean-Luc earned working in the market was insufficient for their needs. From his village, he Jean-Luc moved to the capital city and subsequently to Senegal. From there, with the help of an employer, he joined a group of minors headed for Cairo and then Israel.

Jean-Luc arrived in Israel January 2006 at the age of 13. After crossing the border, he was immediately placed in the minors' wing at Tzohar prison. It was there we met him and began to assist him. With the help of the Chairwoman of our board, three months after he was imprisoned, we released him to the Yemin Orde boarding school. He proved to be an exceptional student – he quickly acquired knowledge of the Hebrew language and excelled in his studies.

Not only did Jean-Luc enjoy learning, he developed a strong circle of close friends and a wide variety of interests. He enjoys playing soccer, spending time with his many friends and going to movies- especially comedies. His strong social skills helped him to successfully integrate into his new environment.

During this time, we maintained on-going contact with him and the school, mainly to ensure he was provided with legal status. In 2006, when the Ministry of Interior decided not to renew his visa, we filed a legal petition on his behalf. While the court prevented his deportation, he was never issued with paperwork legalizing his status.



Today, Jean-Luc is completing a preparatory program at the Technion and continues to live at Yemine Orde, his adopted home. However, the shadow of deportation hangs over him. We will continue to assist him in ensuring he is able to realize his potential, if not in Israel, then in another western country.

*The Hotline helped to release me from prison and has been helping me since. They support me in my life decisions and if I request help, they do their best to assist me. If they can't help me, they tell me.... I'm worried that I will get deported but I hope it will work out and know that the Hotline is doing what it can to help me.*

**Jean-Luc**



*The first I met with Jean-Luc he was in a really crowded cell at Tzohar prison near Ofakim. He was stuck there, short, skinny and sad, surrounded by about 15 other young men, most of them from Guinea. The group leader told us right away "You have to get him out of here - he's driving us all crazy with his crying all night long." I greeted him with "Bonjour!" and we started to talk. I was so impressed with his beautiful French but deeply depressed by the fact that a 13 years old boy was being held in jail. He told me his story: the civil war in Guinea, the death of his parents, the crossing of Africa by foot, the various little tasks he performed for food from looking after cows to polishing shoes. And then, Egypt, the desert, the border and prison. Jean-Luc was still a young child but he already knew he wanted to study and become a computer engineer. He so deeply touched my heart that I knew we would knock on every door to get him out. While the name of the administrative judge was Liberty, justice came in the form of Haim Peri, the founder of the Yemin Orde youth village. Hotline volunteers came to release him just two days before Passover, the festival of freedom and his symbolic and actual leaving of Egypt! For four full years Jean-Luc studied in this beautiful and supportive environment and matriculated cum laude. Since September, thanks to a generous donation, Jean-Luc has been at the Technion completing a preparatory year in order to begin studies in the Faculty of Engineering in the fall of 2010.*

**Myriam Darmoni Sharvit**



### III. Organizational Developments



*For the first time ever, volunteers are involved in every aspect of our work from provision of direct humanitarian aid, to research and development of reports, to writing legal petitions and even in the technical realm*

### **Volunteer Training Course:**

In 2009, we greatly enhanced the way in which we recruit, train and mentor new volunteers. Some 21 Israeli volunteers were trained in late spring and early summer to assist with our Crisis Intervention Center and with media and public policy activities. An additional five volunteers from abroad were trained in the fall; most subsequently visited detention centers and conducted in-depth interviews. Furthermore, on-going training and enrichment meetings were held for Crisis Intervention Center volunteers, some eight people who conduct educational lectures on our behalf and for the staff and volunteers together. Our assumption was that the intensive program we offer, and the investment we make in each and every volunteer will pay off long-term.

Indeed, this seemed to be the case. Some 80% of those trained managed to complete their year long commitment period. Over 70% continue to work with us following the conclusion of this commitment period. For the first time ever, volunteers are involved in every aspect of our work from provision of direct humanitarian aid, to research and development of reports, to writing legal petitions and even in the technical realm. Many have taken on projects in specific subject areas which our staff would otherwise not have time to do, others have used their areas of expertise to explore the issues in deeper ways and bring them to the public while most volunteers have exponentially increased our capacity by helping staff to do their jobs. Indeed, volunteers are an integral part of every aspect of our work and a testament to the power of the Israeli public to create change in Israel.



### Staff Updates:

- In September, we welcomed Osnat Cohen-Lifshitz to our legal department. She replaced Adi Willinger.
- In January 2010, we welcomed Saroj Ilam as Office Manager. She replaced Sharon Stern.
- In January 2010, Mesi Pasehia joined us as an official staff member after working for us as a translator into Tigrinya.





## IV. In Conclusion





## About Us

The Hotline for Migrant Workers (HMW), established in 1998, is a non-partisan, not for profit organization, dedicated to (a) promoting the rights of undocumented migrant workers and refugees and (b) eliminating trafficking in persons in Israel. We aim to build a more just, equitable and democratic society where the human rights of all people are paramount civic and political values.

We assist undocumented foreign nationals as follows:

**Crisis Intervention:** Providing information and solutions to those detained and exploited. Volunteers have assisted 50,000 migrant workers, refugees and trafficking survivors through our telephone hotline and visits to detention centers.

**Legal Action:** Filing suits and petitions promoting public accountability and enforcement of the rule of law. Through use of a variety of legal tools including petitions to the High Court of Justice, we work to ensure that existing laws protecting basic human rights are implemented. For example, with our partners we achieved and improved judicial review for detained migrants and refugees and promoted the abolishment of government policy binding workers to their employers. We also achieved state-financed legal aid for trafficked persons and unaccompanied minors. In a precedent-setting ruling, survivors of trafficking are not required to prove damages to receive redress in civil cases.

**Public Policy:** Educating and informing through work with the Israeli public, academia, the media and policymakers. We have initiated more than 2,750 media items and conducted over 850 lectures



reaching some 30,000 people. Our activism was instrumental in the granting of legal status to hundreds of children of migrant workers and refugees from Darfur and in achieving better policy for trafficked persons and unaccompanied minors. The HMW is a recognized authority and serves as an advisory body for national and international bodies, government ministries, academia and civic organizations. Some 175 volunteers dedicate their time to the Hotline for Migrant Workers.

### **Board of Directors**

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**Ms. Saroj Elam**, Office Manager

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**Ms. Emi Saar**, Crisis Intervention Center Coordinator

**National Service Volunteers:**

Eyal Goldstein  
Ido Keren  
Yarden Hover  
Meshi Olinky  
And approximately 150 other dedicated citizens



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## **Financial Information**

### **To support our work:**

#### **In Israel:**

Checks may be sent to The Hotline for Migrant Workers, 75 Nahalat Binyamin St., Tel Aviv, 65165. Amutah #58033309-4. Donations may be made on-line at the following site:  
<https://www.litrom.com/hotline>

#### **In North America:**

U.S. tax deductible contributions of at least \$100 may be made via the New Israel Fund. Contributions should be marked as donor-advised to The Hotline for Migrant Workers and sent to The New Israel Fund, P.O. Box 91588, Washington DC 20090-1588.

U.S. tax deductible contributions of at least \$25 may be sent (and must be payable) to P.E.F. Israel Endowment Funds, Inc., 317 Madison Avenue, Suite 607, New York, NY, 10017 with a recommendation that it be used for us.

Donations may also be made on-line at the following site: <http://www.hotline.org.il/english/assist.htm>

#### **In the U.K.:**

Donations may be made to The New Israel Fund of Great Britain, 25-26 Enford Street, London W1H 1DW England. They are registered charity #1060081.

**We are grateful to our generous friends, partners and sponsors, who make our work possible:**

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- Stanley & Dorothy Winter Philanthropic Fund
- And many private donors in Israel and abroad including Tamara Gottstein.