

# "From One Prison to Another"

## Holot Detention Facility



The entrance to Holot "open detention facility"

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Information and Photos: Asylum seekers from Eritrea and Sudan and The Hotline for Refugees and Migrants volunteers.

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## Introduction

On December 10, 2013 the rushed process of passing the 4<sup>th</sup> amendment of the Anti Infiltration Law<sup>1</sup> in the Knesset was completed. According to the amendment, asylum-seekers arriving from Egypt will be imprisoned in Saharonim prison for a period of one year. At the end of one year, the detainees will be transferred to the open prison known as the "Holot" until they will be willing to return to their home country. In addition to hundreds of prisoners transferred from Saharonim, Holot is populated by asylum seekers, men only at this time, who received summons at the Immigration Authority offices when they came to renew their visas. In recent months, Immigration Authority inspectors have been rounding up asylum seekers who haven't succeeded in renewing their visas due to long lines at the immigration authority offices, and transferred them to Saharonim prison, where an immigration officer determines the period of their detention, punishment for not renewing their visa, before being transferred to Holot detention facility for open-ended detention.

The 4<sup>th</sup> amendment was passed after the nullification of the 3<sup>rd</sup> amendment,<sup>2</sup> by the High Court of Justice in September 2013. The court found the amendment to be disproportional and hence unconstitutional.<sup>3</sup> The State's contention is that the Holot facility where asylum seekers are imprisoned under the 4<sup>th</sup> amendment "operates in a completely different capacity than a prison facility [...] both in term of infrastructure and services provided as well as aspects relating to the perception of its operation".<sup>4</sup>

The subject of this document is to examine the Holot detention facility, the people who inhabit it and the conditions found therein.

Holot detention facility is located across the road from Saharonim prison, in an area defined as a firing zone close to the border with Egypt. The detainees in the facility, 2,369 people, as counted on June 10,<sup>5</sup> must participate in roll calls three times per day, and sleep there every night. Constructing the facility cost the Israeli taxpayer about half a billion NIS (\$144,000),<sup>6</sup> not including the cost of ongoing operations. Detainees are forbidden to work outside the facility, and have an allowance of 480 NIS (\$138) per month. Although managed by IPS, the facility is not defined as a prison, so there is no judicial overview of the detention and no possibility of release other than being

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<sup>1</sup> About the 4<sup>th</sup> amendment of the Anti Infiltration Law (Offences and Jurisdiction) (4<sup>th</sup> amendment and Temporary Provisions) 2013 and a link to the text of the law: <http://www.acri.org.il/he/29954>

<sup>2</sup> About the 3<sup>rd</sup> amendment of the Anti Infiltration Law Offences and Jurisdiction) (3<sup>rd</sup> Amendment and Temporary Provisions) 2011 and a link to the text of the law: <http://www.acri.org.il/he/13458>

<sup>3</sup> Supreme Court ruling 7146/12:

<http://elyon1.court.gov.il/files/12/460/071/b24/12071460.b24.htm>

<sup>4</sup> The state's response dated 03.11.2014 supreme Court case 8425/13 Gebrselassie v. Knesset of Israel, article 180

<sup>5</sup> According to the state's response dated 10.6.14, South district court case 10754-04-14, Abulgasim Asama v. the MoI, article 2.

<sup>6</sup> The state's response dated 03.11.2014 Supreme Court case 8425/13 Gebrselassie v. Knesset of Israel, article 174.

recognized as a refugee, a rare occurrence in Israel's unfair asylum system.<sup>7</sup>

"Holot facility can accommodate 3,300 people, the state summoned 4,100 people" reported journalist Ilan Lior on March 6, 2014 in "Haaretz".<sup>8</sup>

Conversations with IPS personnel indicate that about 40% of recipients of summons show up for the transport to the facility, leaving from Yigal Alon St. in Tel Aviv, on the day scheduled for them. The remaining 60% chose not to report to the facility, while risking being caught on the street without a valid visa and sent to Saharonim prison, or were successful in voiding the summons because they did not meet the criteria for detention or for humanitarian reasons. As of June 10, 2014, about 4.9% of the asylum seekers in Israel are detained in Holot.

Since Holot is at full capacity and the Immigration Authority keeps on ordering more and more asylum seekers to report to detention there, the State plans to convert some sections of Saharonim prison to an "open facility" similar to Holot. Due to the closed nature of the "open facility", this conversion would not entail a great deal of effort.<sup>9</sup>

This report is the product of visits made by Hotline for Refugees and Migrants volunteers (the "Hotline") to the Holot detention facility, and of personal and telephone interviews with staff and detainees. The document tries to draw a comprehensive picture of what happens within the fences of the facility, and point out the problems inherent in its existence.

## **Who Are the Detainees in Holot**

On June 10, 2014, five months after asylum seekers began to be summoned there, 2,369 asylum seekers reside in Holot. In Mid-May, while there were 2,368 detainees, 1,680 of them were citizens of Sudan (71.4% of the detainees) and 672 more were Eritreans (28.6% of the detainees). More than 500 asylum seekers were transferred to Holot from Saharonim prison, after being imprisoned there under the 3<sup>rd</sup> amendment of the Anti Infiltration Law for periods ranging between 18 months to two years, upon entry to Israel. According to data provided by the Ministry of Interior, the number of detainees in Holot changed from 2,368 on May 27 to just 2,369 on June 10, despite the daily summons. That is probably a result of the new MoI policy to transfer from Holot to Saharonim prison detainees who missed even one roll call.

Israeli authorities insist on referring to Eritrean and Sudanese citizens in Israel "work infiltrators", although citizens of those countries are not deported from Israel, as Israel does with undocumented migrants, due to a "non-removal" policy. Asylum seekers from those countries were barred from applying for refugee status until early 2013. At

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<sup>7</sup> See the Hotline for Refugees and Migrants report – "Until our Hearts are Completely Hardened", March 2012. <http://hotline.org.il/en/publication/until-our-hearts-are-completely-hardened-asylum-procedures-in-israel/>

<sup>8</sup> Lior Ilan, "Holot facility can accommodate 3,300 people, the state summoned 4,100 people", Haaretz, March 6, 2014 (Hebrew): <http://www.haaretz.co.il/news/education/.premium-1.2262094>

<sup>9</sup> Yerushalmi Tamar, "No more space in Holot? Planning to transfer the foreigners to Saharonim prison", June 13 2014 (Hebrew): <http://glz.co.il/1064-44203-HE/Galatz.aspx>

that point, asylum seekers in detention were able to submit applications. Only at the end of 2013, asylum seekers from those countries who are not in detention were able to finally file for asylum, but the State did not bother to inform the refugee communities about this change in policy.

According to the State, as of March 3, 2014: "The Asylum Seekers' Unit of the Immigration Authority received 1,468 applications so far for political asylum in Israel by Eritrean nationals, 980 applicants were interviewed. 444 applications have already been decided on, and two of the requests were approved".<sup>10</sup> In addition, "1,373 applications for political asylum in Israel were received from nationals of the Republic of Sudan, of which 505 were interviewed. Nine applications have been decided upon, and they were all rejected".<sup>11</sup> 1,386 of the detainees in Holot already applied for asylum, 259 of them were interviewed and 139 already received a reply to their request.<sup>12</sup> As far as we know, not even one of them was granted refugee status.

In sharp contrast to this low rate of recognitions of asylum seekers from Eritrea and Sudan in Israel, according to data from the UNHCR, the global recognition rate of Eritrean asylum seekers as refugees in 2012 stood at 81.9% and the rate of recognition of Sudanese asylum seekers as refugees is 68.2%.<sup>13</sup> Additionally, Darfur<sup>14</sup> and the Nuba Mountains<sup>15</sup> in Sudan have been declared humanitarian crisis zones.

Currently, most of the asylum-seekers detained in Holot were summoned from all over Israel, after being in Israel for four to nine years. They resided in Israel legally and periodically renewed their visas according to the changing decisions of the authorities. Although 71% of African asylum seekers in Israel are Eritrean, and only 20% of them are from Sudan, the number of Sudanese held in Holot detention facility significantly exceeds that of the Eritreans and they constitute 71% of the detainees while only 29% of detainees are Eritreans.<sup>16</sup>

Until June 6th, 2014, the Immigration Authority did not conduct hearings for asylum seekers when they were summoned to Holot detention facility. At a hearing, the

<sup>10</sup> The state's response dated 03.11.2014 Supreme Court case 8425/13 Gebrselassie v. Knesset of Israel, article 15.

<sup>11</sup> There, article 16.

<sup>12</sup> According to the state's response dated 10.6.14, South district court case 10754-04-14, Abulgasim Asama v. the MoI, article 1.

<sup>13</sup> About the recognition rate of Sudanese Eritrean citizens worldwide in the statistical report of UNHCR for 2012: <http://www.unhcr.org/52a723f89.html> table 11.

<sup>14</sup> United Nations Human Rights Council, *Genocide in Darfur*.  
<http://www.unitedhumanrights.org/genocide/genocide-in-sudan.htm>

<sup>15</sup> Human Rights Watch, *Sudan: Crisis Conditions in Southern Kordofan*. May 4, 2012.

<http://www.hrw.org/news/2012/05/04/sudan-crisis-conditions-southern-kordofan>

<sup>16</sup> Calculated according to data from the Immigration Authority as published in October 2013:

<http://www.piba.gov.il/PublicationAndTender/ForeignWorkersStat/Documents/oct2013.pdf>

Minus the number of asylum seekers Interior Minister Gideon Sa'ar reported left the country between January to March 2014, at a meeting of the Interior and Environment Knesset Committee dated March 26, 2014 (unpublished minutes). The percentages of Eritrean and Sudanese in Holot were calculated based on their numbers in Holot as reported by the IPS representative during the Migrant Workers Knesset committee on May 14, 2014.

purpose of the hearing must be clarified in advance to the person summoned. The person in questions allowed to bring legal representation, the hearing must be documented and translated if necessary. In the hearing, the person is able to plead his case and explain why it is unreasonable to detach him from his surroundings and send it to a facility in the desert after four to nine years of a full life in Israel, without examining his claim for asylum. After the hearing, the authority has to give the person a reasoned decision in his case, which he can appeal.<sup>17</sup>

### **Sudanese nationals jailed in greater numbers**

Data provided by the State indicates that more Sudanese are summoned to Holot than Eritreans, despite the fact that there are three times more Eritreans in Israel than Sudanese. In addition, more Sudanese were transferred from Saharonim prison to the Holot detention facility, after the abrogation of the 3rd amendment to the Anti Infiltration Law, while hundreds of Eritreans were released following the court decision.

During the month and four days that passed between the High Court's ruling on September 16 and October 20, 2013, the State did not release even one asylum seeker, as it was ordered to do by the High Court. Following an appeal by human rights organizations to the Attorney General on October 13, 2013,<sup>18</sup> a hearing of the Knesset Committee for Foreign Workers on October 15, and a motion of contempt to the High Court filed by human rights organizations on October 28,<sup>19</sup> the State slowly began to release detainees.

Eritrean asylum seekers reported that since the voiding of the 3<sup>rd</sup> amendment to the Anti Infiltration Law, Immigration Authority officials stopped pressuring them to return to their homeland and stopped taking detainees for personal persuasion talks where it was explained to them that the only way out of prison is returning to their home country. However, a number of Sudanese asylum seekers reported that Immigration Authority officials continued to take detainees to such private talks and pressured them to leave "voluntarily", without clarifying that their legal position has changed.<sup>20</sup>

Only on October 20, 2013, nine women were released by Border Control officers – the first release since the High Court ruling. Subsequently all women were released, most of them Eritrean. On November 5, the first 16 men were released, all of them Eritrean, and later that month, about 700 additional detainees were released. To the best knowledge of Hotline activists, the first Sudanese detainee was released by the Border

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<sup>17</sup> See for example the ruling of The Administrative Court petition 40613-02-14 Abdullah Jafar (prisoner) v. Ministry of Interior.

<sup>18</sup> Appeal by human rights organizations Attorney General on October 13, 2013:  
<http://www.acri.org.il/en/2013/10/17/disregardcourt/>

<sup>19</sup> Link to the motion for contempt of court that was submitted by human rights organization on October 28, 2013(Hebrew): <http://www.acri.org.il/en/2013/10/28/infiltration-contempt/>

<sup>20</sup> For more on the pressure exerted on asylum seekers detained in Israel to "agree" to leave Israel "voluntarily" by threatening them with prolonged detention, see: Human Rights Watch and the Hotline for Refugees and Migrants, March 2013: <http://hotline.org.il/en/publication/detained-asylum-seekers-pressured-to-leave/>

Control officer only on November 24, 2013 and 30 other Sudanese asylum seekers were released from Saharonim prison on November 27. With the entry into force of the 4<sup>th</sup> amendment to the Anti Infiltration Law on December 15, 2013, Immigration Authority stopped releasing prisoners from Saharonim prison and transferred them from Saharonim to Holot. Thus, only a few Sudanese asylum seekers were released from prison, all of them during the two weeks before the entry into force of the 4<sup>th</sup> amendment to the law. The vast majority of the 700 people released were Eritrean.

When Israel began detaining asylum seekers who resided inside Israel, it was evident that the Immigration Authority focused on the citizens of Sudan. On December 11, 2013, the day after the 4<sup>th</sup> amendment to the Anti Infiltration Law was passed in the Knesset; the Immigration Authority published a notice listing the criteria by which asylum seekers will be sent to the Holot detention facility as early as the next day.<sup>21</sup>

The notice states that the "Staying Center" is designed for "infiltrators it is difficult to remove from Israel", a surprising definition considering that the "difficulty" stems from the decision of the Ministry itself, namely that citizens of Sudan and Eritrea are entitled to the policy of "temporary non-removal" due to the State's compliance with international and Israeli law.<sup>22</sup>

According to the criteria of the Immigration Authority, Sudanese citizens who entered Israel prior to December 31, 2010, and Eritreans who entered before December 31, 2008 will be summoned to Holot detention facility. Under these criteria, a larger percentage of Sudanese nationals residing in Israel can be detained compared to the percentage of Eritrean nationals who can be detained. It should be noted that dozens of asylum seekers who do not meet the criteria, were also summoned the Holot.

Israel prefers to detain Sudanese nationals over Eritreans due to the fact that while Eritreans find it difficult to agree to "voluntary return" to their country, many Sudanese succumbed to the abuse by the Immigration Authority and left the country, often risking their lives. The State recently announced that "between December 2013 and the end of February 2014, 2,989 infiltrators left the state of Israel - 2,650 Sudanese, 150 Eritreans and 189 infiltrators from other African countries".<sup>23</sup>

Since Sudanese succumb to pressure and sign up for "voluntary return" 14 times more than Eritreans, the Immigration Authority has a clear interest to continue to pressure Sudanese as much as possible.

Many Sudanese explained to Hotline activists that by leaving the country they take a calculated risk. They believe that with the \$3,500 provided by the Immigration Authority they may succeed to immediately escape to a neighboring African country or find their way to a refugee camp where their families live. Many of those returning have reported that they arrived safely to an African country. However, there is an ever-

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<sup>21</sup> Immigration Authority, "Notification of establishing a center for infiltrators and beginning enforcement on employers of infiltrators", December 11, 2013 (Hebrew)

<sup>22</sup> Report of Knesset's Research and Information Center, "The dealing of the state with infiltrators and asylum seekers who enter Israel from Egypt and their treatment", January 25, 2011 (Hebrew)

<sup>23</sup> The state's response dated 03.11.2014 Supreme Court case 8425/13 Gebrselassie v. Knesset of Israel, article 100.

increasing stream of evidence about the danger of "voluntary return". This issue will be elaborated on later in the report.

Eritreans who fled their country without permission, rarely give in to pressure because there is almost no practical way to land at the airport of Asmara with \$3,500 and escape prolonged incarceration and torture. A person leaving Eritrea without official permission is immediately seized upon return and has to pay a significantly higher amount in bribes for a release from custody. Presumably the people "returning voluntarily" to Eritrea are mostly people who had official permission to leave, and will not be harmed upon returning, or they leave Israel to a different African country, as described below.

The Minister of the Interior, Gideon Sa'ar, explained the main reason for preferring the imprisonment of citizens of Sudan, saying that "one of the dominant considerations for sending people to the facility is the future ability to remove them."<sup>24</sup>

### **"Involved in criminal activity"**

Another criterion for sending people to Holot are people whom "the Border Control officer found were involved in criminal activities and do not comply with the guideline determined by the Attorney General, in terms of the type of crime committed (the burden of evidence required to prove the offense will be as set forth in the guideline), and people who have served their sentence for a criminal offense they were convicted of and there was no place to keep them in custody".<sup>25</sup>

This means that asylum seekers who were detained under the criminal procedure,<sup>26</sup> will not be released from custody but will be transferred from Saharonim to Holot detention facility across the road. Under this procedure, asylum seekers suspected of crimes but not charged with any crime and asylum seekers who were tried and served out their sentence would not be released, but instead detained indefinitely in Saharonim prison. To the best of our knowledge, several dozen asylum seekers detained under the criminal procedure were transferred from Saharonim to Holot in the past three months, including those who have wives and children in Israel. Since women and children are forbidden from entering Holot, asylum seekers can see their families only outside the facility during the hours between roll calls.

### **Tearing Veteran Asylum Seekers from Their Lives**

Because the Immigration Authority began summoning to Holot asylum seekers who've

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<sup>24</sup> The Knesset's Interior and Environment committee hearing on the Anti Infiltration Law (Offences and Jurisdiction) (4<sup>th</sup> Amendment and Temporary provisions), December 2, 2014 (Hebrew): [http://knesset.gov.il/protocols/heb/protocol\\_search.aspx?comID=5](http://knesset.gov.il/protocols/heb/protocol_search.aspx?comID=5)

<sup>25</sup> Immigration Authority, "Notification of establishing a center for infiltrators and beginning enforcement on employers of infiltrators" (Hebrew).

<sup>26</sup> A link to the procedure for handling infiltrators involved in criminal activities from July 1, 2013 (Hebrew):

<http://www.piba.gov.il/Regulations/10.1.0010.pdf>



been in Israel the longest to prevent their "settlement" in Israel, one can find in Holot asylum seekers who speak fluent Hebrew, whose sudden summons to Holot forced them to leave workplaces where they have worked for years, apartments they rented, many Israeli friends, and sometimes studies for which they paid in advance, without expecting the change in policy of the State.

Anwar Suleiman, an asylum seeker from Darfur, is one of those veteran asylum seekers in Israel who were summoned to Holot. Anwar tells about his astonishment upon receiving the summons to Holot, in fluent Hebrew:

*"At first, in February, when I received a summons to Holot for the ninth of March, I was in shock! I have been living here for five years; I applied for asylum in November 2013 as soon as the Ministry of the Interior made applying asylum claims possible for Sudanese. I did not get any response to my request, but three months later, I received a summons to Holot. Nobody interviewed me or heard my story. Other friends went to the Hotline for Refugees and Migrants and to private attorneys and got the summons to Holot voided.*

*I asked myself 'why try to cancel it?' The State will decide. It decided that I would go to Holot so I'll go to Holot. I know that Israel is a democracy that defends rights. I came from places where the government continues genocide and war, so I'm waiting".*



Anwar Suleiman, Darfuri asylum seeker

Anwar, who now helps his fellow prisoners in Holot, spoke about his contribution to the community, about the reasons that prompted him to flee from Darfur to Israel and his life of Israel:

*"All these years I have volunteered in organizations, translating and helping my community. I also founded with my friend, Hassan Rahim, an organization for Sudanese refugees in Israel called "Organization of Sudanese in Israel". Our situation is difficult. I try to explain to Israelis that the world accepts us as refugees. The State says we are labor infiltrators, but I know myself. I know I'm a refugee. The State will see that as well, if it just checks. The State says I'm a criminal, but I know I am not.*

*When the war began, in 2003, I just finished my university studies. I went back to Darfur because many villages were attacked by the government and I was worried about my family. Since we came to help, the government interpreted it as opposition to the regime and arrested us. I was in prison in Sudan for 15 days and suffered violence from the hands of the jailers. They locked us in isolation, each one in a small cell of two meters by one meter. Two weeks later they called my family and forced them to sign a guarantee that I will not act against the government and if I do so again, they will kill me.*

*There is a refugee camp in Nialla, but I was told that I should flee, I fled to Libya. The*

*government in Libya is in contact with the Sudanese government and I thought I should keep myself safe. I was in Libya for five years but the situation was difficult - I was afraid that the dictatorship will send me to Sudan and might kill me. Libya does not respect human rights, has not signed the Refugee Convention and does not examine requests for asylum. That's why I wanted to look for a country where I could be safe. I fled from Libya to Egypt, but there they force us back to Sudan. I had to think about my future. I had a friend who said that Israel is an advanced country with human rights, that signed the Refugee Convention and that I should come here.*

*I came to Israel through Sinai in 2008. I was imprisoned Kziot for five months and in 2009 they released me. I went to the office of the UNHCR but they said they do not accept asylum claims and that Israel is now examining applications for asylum. I wanted to apply for asylum, but they told me that the Sudanese are a group with protection and that's why it is impossible to apply for asylum. Initially I worked in a hotel in Jerusalem and later moved to Tel Aviv to help my community after work. We worked hard because the community should be together. We are not only helping the community. We tell the Israelis our story, explain why we fled, celebrate Sudanese culture day, and commemorate the genocide of Darfur.*

*I cannot go back to Sudan. I'm not afraid for myself but for my family. I will stay in jail as much as necessary. As much as the government tells me to. Even now they kill people in Darfur, one minute and they will kill me. No one asks questions, it's easy".*

Many asylum seekers who had a full life in Israel were torn from them, without having their asylum applications examined, are currently incarcerated in Holot along with Anwar. Although many had not yet managed to present asylum claims, either because the Immigration Authority began to allow this for citizens of Sudan and Eritrea only at the end of 2013 or because of lack of confidence in the Israeli asylum system. Israel as the lowest recognition rate of refugees in the Western world - 0.15% of asylum requests examined between July 2009 and August 2013 received a positive reply.

### **Freedom Marches detainees**

Among the prisoners in Holot are also about 120 asylum seekers, mostly from Sudan, who in December 2013 set out in what refugees and international media called "freedom marches", the marches from Holot to the Knesset in Jerusalem that motivated the biggest protest of asylum seekers in Israel.

Abdul, from Darfur, has been detained in Israel for over two years, ever since arriving here. He was also one of the leaders of the first freedom march:

*"I'm from Darfur, one of the areas where genocide is taking place. I studied at a university in the Blue Nile area; even there a conflict exists. I was active against the regime. When the war started in the Blue Nile, security forces of the Sudanese government sought me out. That's why I left the country. My Life was in danger. If I go back, they will kill me.*

*I came here because I wanted protection. I came through Egypt. I did not stay there*

*because the Egyptian government slaughtered asylum seekers from Sudan in 2005 [the Mustafa Mahmoud Massacre]. Egypt has diplomatic relations with Sudan and they might send me back to Sudan. I came to Israel from the border with Sinai. The soldiers at the border brought me to "Saharonim" prison. I was there for four months and then they took me to "Ktziot" prison. After six months, they moved me back to "Saharonim". In May 2013 we went on a hunger strike in "Saharonim" prison, so they beat us and took us forcefully to Ktziot. We were in Ktziot for more than nine months. When I arrived at "Saharonim" they told me I'd be in jail for three years and then be deported back to Sudan. I said I would not go back to my country at any price. They can put me in jail if it is the law here, but I will not return to Sudan under any circumstances. Even if I will be in jail for 30 years, I will not go back to my country. That's what I told the judge.*

*It was made possible to apply for asylum from Ktziot only in 2013. I applied but did not receive an answer. I was interviewed, they asked a lot of questions and still no answer. I asked for an answer from the Ministry of Interior but did not give one. When they canceled the law, the judge told me I will be released by December 15, 2013. I told him again that I need asylum not only a release from prison. He said he would ask the Ministry of Interior. I did not receive an answer.*

*Instead of releasing us, they told us we will move to a new prison. We did not agree. They took us by force. They told us that if we do not come, they will do what they do to us in wing 7: beat us and cuff our feet and our hands. They took us like animals to Holot. They brought us to Holot on Friday. Some people refused to enter the facility and slept outside, even though it was raining and very cold. On Saturday we went on a hunger strike and said we are not supposed to be in prison, we are supposed to live a normal life after what we went through. The whole world knows that there is genocide in Darfur.*

*On Sunday, we spoke with a representative of the Ministry of Interior and asked him why they put us in prison again. The representative said he could not do anything for us, if we want something we have to go to the Knesset, to Jerusalem. So we left, still on hunger strike, we walked to Beersheba. On Monday we walked and traveled from Beersheba to Kibbutz Nachshon, where they gave us a place to sleep. On the third day we went to Jerusalem and demonstrated in front of the Knesset and the Supreme Court. They ended our protest in violence. They [immigration police] used violence although we said we will not use violence against Israeli authorities. We do not harm the security of Israel. We only ask for a refugee status.*

*They took us to the Holot, interviewed us and told us we will be sent to Saharonim for three months without trial. A week ago they said we will be released from Saharonim to Holot. This is not a release. This is not a release; it is a transfer, because it is exactly the same thing. It is the same prison; it isn't different at all."*

### **Asylum Seekers Detained before they Could Renew their Visas**

On March 2014, the State began releasing from Saharonim and then jailing to Holot asylum seekers who were arrested during December 2013 because they were unable

to renew their visas, due to the reduction in the number of offices and work hours of the Immigration Authority.<sup>27</sup> Those asylum seekers were detained at work, at home, while walking outside, and sometimes while waiting in endless lines as they attempted to renew their visas at the Ministry of Interior. Upon their arrest, those asylum seekers were sentenced by a Ministry of Interior clerk to Saharonim prison for three months, after which they are transported to Holot detention facility, until they agree to return to their home countries. In the coming months many more asylum seekers who were detained due to lack of any viable option to enter one of the offices of the Immigration Authority to extend their visa, are expected to be released from Saharonim to Holot.

## **Living Conditions in Holot Detention Facility**

*"It doesn't matter if we get more food or more blankets. As long as we're in prison nothing matters".*

*"At 10pm they close the whole bloc. What if something happens at night? Whom do we call?"*

Before we examine the living conditions in Holot, we must establish that this chapter's aim of this report is not to improve the facilities, services and infrastructure of the detention center. Even under ideal condition and perfect management, a denial of freedom and independence is inherent in the incarceration itself. No amount of gourmet food, professional training or temporary exit permits could change that. Having said that, these days Holot is a home to about 2,300 people, and a close examination of the living conditions is necessary.

### **The Prison's Structure**

*"Ten people live together in every room. There's no privacy. There's noise and a bad atmosphere. I couldn't sleep since I got here."*

*"In Saharonim, the rooms are very crowded, but at least there was shade outside of the cells. Here in Holot, you go outside and you are in the desert. It's either crowded or cold. In the summer it will probably be very hot."*

Holot prison is divided into wings, with each wing divided into blocs. Currently there are three operating wings.<sup>28</sup> The first wing is used as an administrative center and the second contains four operating blocs. By design, each bloc is meant to accommodate prisoners from one country. Blocs A and C are designated for Sudanese citizens and blocs B and D are for Eritreans. In practice, there's very loose

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<sup>27</sup> On the lack of a viable option to renew a visa during the last months in the report "streamlining the process", Hotline for Refugees and Migrants, March 20, 2014:  
<http://hotline.org.il/en/publication/streamlining-the-process>

<sup>28</sup> As stated by Yehoshua Wise from the Israeli Prison Service in a meeting of the Internal Affairs and Environment Committee, marking 100 days of the Anti-Infiltration Law, held on March 26, 2014.

monitoring on the housing arrangements and the prisoners are free to move from one bloc to the other as they wish, regardless of their countries of origin.

Every bloc contains 28 rooms, and in each room there are five bunk beds and ten lockers without locks. Upon arrival each new prisoner receives a blanket, a roll of toilet paper and sometimes a towel. The supply of toilet paper is inconsistent, which makes it one of the most sought-after products in the facility. The rooms lack any heating or cooling devices, so even on cold and rainy days the prisoners have to make do with the thin blanket they receive on their first day.

In addition to the rooms, every bloc contains a social center, a room that is supposed to provide social activities but in reality offers only a television set and a few chairs. A small shop operates in Bloc A, selling basic necessities, cleaning products, personal hygiene items and a few snacks. Beyond the above mentioned facilities, there's not much else in the detention center. There are no classes or professional trainings to fill the endless empty hours forced on the prisoners.

### **Daily Routine and Punishment System**

The prisoner's schedule revolves around three daily roll calls, at 6am, 1pm and 8:30pm. The asylum seeker must report to the designated office and present his identification card to an Israeli Prison Service (IPS) employee as proof of his presence in the facility. The time allotted for each roll call is limited to an hour and a half, creating long lines outside of the office. The IPS doesn't follow up on the accumulating data of present prisoners and doesn't attempt to track down missing people. It only presents the Ministry of Interior (MOI) with the list of names.

The lack of clarity regarding the punishment system is evident in the sanctions applied to people absent from a single roll call. Many asylum seekers who have missed one roll call have gone unnoticed by the authorities, but this is not always the case. In the first weeks of March immigration authorities began summoning to their office asylum seekers who missed one roll call, sometimes months before the meeting took place, and threatening to transfer them to Saharonim prison.

Punishments for a whole day's absence are inconsistent – some people are transferred to Saharonim, some are deprived of their allowance for 10 days and some are deprived of their right to leave Holot between roll calls. The uncertainty surrounding the procedures and boundaries is a source for constant fear and frustration among the asylum seekers.

During June 2014, when Holot could offer no more space for new comers, while in Saharonim there were only 400 detainees and space for 3,000 asylum seekers, the Immigration authority changed its policy. More and more asylum seekers are transferred from Holot to Saharonim after missing only one roll call, even if they missed it months ago. This conduct leaves the detainees confused and frustrated since they complain that they do not know what to expect next.

## Food

Three meals are served every day: breakfast at 7am, lunch at noon and dinner at 7pm. Every meal lasts one hour. In the first days of operation, the delivery of meals was chaotic and the amounts of food were often insufficient, leaving some prisoners without food for a meal of two. Things have gotten better and it seems the food issue is under control, at least quantity-wise. However, the content of the meals is still problematic and doesn't show any signs of dietary planning or consideration for the prisoners' habits and preferences.

Prisoners are prohibited from bringing food into Holot, mostly for sanitary reasons – there's no fridge and no way to prevent food spoilage. The detainees have no access to kitchenware such as stoves and ovens and can't prepare their own meals. Buying prepared food from the outside world is the only option they have, a rare luxury for people living on 16 NIS a day (\$4.5), dozens of kilometers away from any commercial center. The closest shop is 10 kilometers (6 miles) away, in Kadesh Barnea, a small village surrounded by a fence to keep off intruders. The issue of food is one example of many for the lack of choices and the deprivation of liberty the prisoners are facing.

Amongst the prisoners are people who suffer from different medical conditions that force them to avoid or depend on certain foods. Some receive food suited to their needs while others complain about the prison doctors' unresponsiveness to their requests. One persistent prisoner got his wishes fulfilled in the form of a raw zucchini and potato, with no way to cook them.



*In the picture: Uncooked Food served in Holot.*

## Healthcare in Holot

"When I come to the doctor he doesn't even examine me. He just gives the same pills for all the complaints. Everybody receives the same medication".

When Holot was first opened, Magen David Adom (the Israeli Red Cross) was assigned to provide basic medical care. Despite weekly visits from Clalit Health

Services dentists, asylum seekers complaining about toothaches claim they have been told to find a dentist in Be'er Sheva, and pay for the visit out of their own pockets.

On May 1, Magen David Adom was replaced by a private insurance company, Bikurofeh. The new company offers the service of one general doctor, who is present at the facility five days a week for eight hours each day. Between 4pm on Thursday afternoon, until Sunday morning, as well as every evening and night during the week, the 2,300 detainees in Holot have to rely on the services of a Paramedic. Detainees wait in long lines every day to see the doctor, many times just to hear that the medicine they need is not available and that they should try and get a permission to travel to the city and buy it with their savings if they have any.

The Anti Infiltration Law states that people with medical conditions that might deteriorate due to incarceration are not to be imprisoned, yet the Hotline met many asylum seekers with chronic and new conditions who are not receiving proper attention and care. Asylum seekers with health problems too severe to be handled by the prison's clinic are often prescribed aspirin. At best, patients are referred to Soroka Hospital in Be'er Sheva, with financial coverage of an unclear scope from the Ministry of Health. The prisoners pay their own transportation fees, about NIS 50 (\$14). Follow up examinations are hard to schedule and permits to leave the prison for treatments and examinations are almost unattainable. Some prisoners are forced to postpone important medical appointments, simply because they have yet to receive their allowance and can't afford a bus to the hospital.

### **Exit Permits from Holot**

*"They say Holot is not a prison, but getting out of here is as hard as getting out of prison. I've asked to leave for a whole day several times and was never given permission. I wanted to visit my friends in Tel Aviv and they wouldn't let me. Usually there's no one at the Immigration Authority offices, which is where we're supposed to ask for permits. Now I have a very important reason. I need to take my paycheck and my compensation money from work. My employer told me to come on Thursday. On Sunday I asked the Immigration Authority people to go to Tel Aviv on Thursday for the whole day to pick up my paycheck. They told me "come on Thursday and we'll see". They don't understand I need to schedule a meeting with the employer, so that he prepares the money for me. If I tell him I'm coming on Thursday, it might be too late. If eventually they will tell me I can't go, he might get mad at me and not give me the money at all."*

Contrary to the asylum seekers' testimonies, the authorities believe there's no difficulty in attaining exit permits, as they reported to the High Court: "As of March 5, 2014, 284 requests for exemption from presence were submitted, most of them for an absence longer than 24 hours. Only 11 were rejected, meaning 96% of

requests were approved by the Border Control officer."<sup>29</sup>

The Anti-Infiltration Law states that the Border Control officer is authorized to give the prisoners an exemption from presence in the facility for up to 48 hours, yet many asylum seekers testify that he rarely exercises this authority.<sup>30</sup> There's good reason to believe the gap between what the asylum seekers and the State are reporting is a result of the fact that most prisoners are unable to even submit a request for an exit permit. Detainees testify that the office is closed most of the time, and when it's open the Immigration officer tells them to come at a different time without registering their request. Prisoners also report that many time-sensitive requests are not answered at all, and when the date passes the request becomes irrelevant.

Since most of the detainees were ripped away from a full life in Israel's cities, many have left behind unresolved issues – compensations from employers, rental contracts, pregnant women, academic courses and medical treatments. It seems that these would be good enough reasons to grant someone an exit permit, especially from an "open facility". Despite this, the Hotline has yet to encounter a prisoner who was granted a 48-hour exit permit. A few people received an exit permit for 16 hours. It's important to note that the bus ride from Holot to Be'er Sheva lasts an hour and a half and roll calls are held every 7 hours. The long lines to enter and exit the facility must be added to the calculation of long such travel takes.<sup>31</sup>

One of the people Hotline tried to assist was Dawit, an asylum seeker from Eritrea whose wife was about to give birth in Eilat while he was staying in Holot. Despite repeated requests and long waits in line for the Immigration Office, Dawit did not receive an exit permit. He was left facing two options: to leave his wife to give birth on her own, in a foreign country whose language she doesn't speak, or to go and be with her without a permit and risk incarceration in Saharonim, unable to see his son for an unknown period of time. Dawit decided to obey the law and stay, thus losing the right to have his name written as the father on his son's birth certificate because he wasn't present during the birth. If Dawit requests to be registered as the father he will have to pay thousands of shekels for a DNA test and wait for over a year for the results.

Despite repeated claims from the Ministry of Interior that Holot is not a prison but an "open detention center", the de-facto policy deprives asylum seekers of basic freedom of movement and confines their lives to the prison walls.

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<sup>29</sup> State response from March 11<sup>th</sup> 2014 in High Court case 8425/13 Gebreselassie v. the Knesset, article 218.

<sup>30</sup> Anti Infiltration Law (Offences and Jurisdiction) (4<sup>th</sup> amendment and Temporary Order) 2014 article 32h(iii)

<sup>31</sup> As seen in a clip documenting a long line of asylum seekers waiting to enter Holot on Saturday, March 22<sup>nd</sup> 2014 <https://www.youtube.com/watch?v=9rQvQ2N05kc>



## Occupation in Holot



In the picture: A prisoner lies in bed in Holot during day time.

*"All day long I do nothing. Most of the time I lie in bed. Depressed."*

*"Most of the time I stand in line: there's a line for food, three times a day I stand to sign [roll call]. But the longest line is the one for getting out and back into the prison. On Saturdays you need to stand in line for two hours to leave, and also to get back in. When we get in the prison guards check us very carefully to make sure that we are not bringing food into the prison. I don't understand why there is such a long line to leave as well. We have nothing inside anyway. What can we possibly take with us? What there is to check?"*



In the picture: line for food in Holot

*"There are classrooms, but they don't let us use them. Only lately did we have a meeting with the commander of the prison. We asked him to have the opportunity to learn and to bring computers into the prison. He explained to us that the reason why it's forbidden to bring computers is that there is no way to lock the lockers and that they are afraid of*

*thefts should we keep valuable items such as computers, cameras and similar items. We have asked for locks for the lockers but that can't be done either, because they are afraid that people might take the keys and leave. They are also concerned that we might keep items that aren't allowed in the prison inside the lockers. In the end we agreed that whoever wants to bring in a computer will sign a statement saying that only he is responsible for his computer and that if it is stolen he will not file a complaint. I am happy that we will have computers, but I think that they should allow us to lock our lockers."*

Within the limited space allotted them, detainees have trouble keeping themselves busy. Other than a sports field and television there are no recreational activities, nor access to books, newspapers and internet. A painting teacher comes in once a week and more activities are planned in the future, including workshops covering mechanics, carpentry and other universal skills. The choice of workshops was not coincidental – their declared aim, as IPS representatives have explained, is to prepare detainees to the day they return to their home county and to give them skills that will enable them to make a living in Sudan and in Eritrea. Thus far, the classrooms in the facility are opened irregularly and all educational activities are arranged by the detainees without any cooperation from the prison authorities.

According to the Anti Infiltration Law article 32g a few of the detainees in Holot can work in the maintenance and the provision of various services within the detention facility itself.<sup>32</sup> Only 179 have asked to do so.<sup>33</sup> According to the regulations<sup>34</sup> payment for such work is 12 NIS per hour. In January 2014, 59 prisoners were employed and in February, 78 were- only 5% of the center's population.



In the picture: Office of employment "Holot"

<sup>32</sup> State response from March 11 2014 in High Court case 8425/13 Gebreselassie v. the Knesset, article 204

<sup>33</sup> Anti Infiltration Law ( Offences and Jurisdiction)

<sup>34</sup> Temporary Law : Pocket Money and other benefits and the conditions for their withholding - 696, 2014

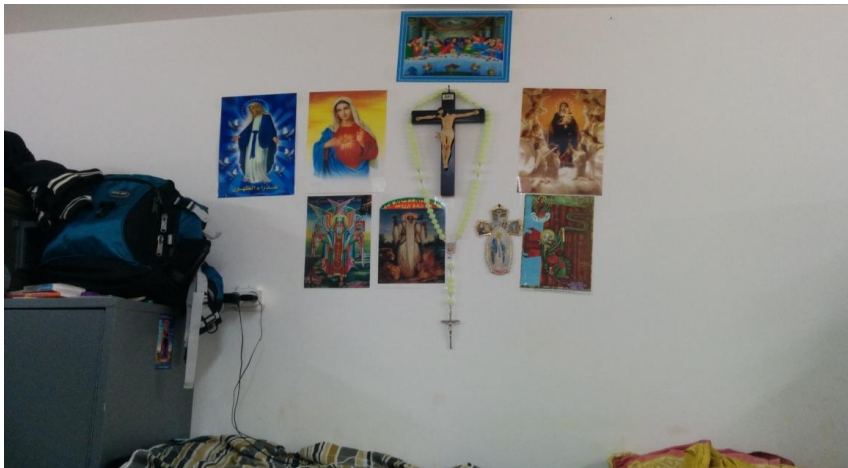
## Violations of Religious Freedom

"Israel has deprived me of my freedom for an indefinite period of time and now it also wants to take my faith away from me. Here you are isolated from the outside world and it's very hard emotionally. I do not know how long I will have to be here so at least I wanted to keep my rituals. The pictures and the crucifixes give me strength."

During one of the visits of volunteers of the Hotline at the Holot facility, one of the detainees from Eritrea, Michael Abraha, complained that his weekly allowance, in the amount of 160 NIS, was taken away from him, as well as his registration card used for the roll calls because he refused to remove religious pictures and a crucifix he had hung on the wall in his room. He added that prison guards tore off religious items hung by detainees in section A after the detainees refused to take them off the walls.<sup>35</sup>

Despite the punishment, Abraha felt that he could not give up his faith and practices.

Following the publication of a news report regarding Abraha, the commander and the staff of the detention center called a meeting and clarified to the detainees that they were free to keep any religious faith they wished and that they would be given religious books if they wished, but that they cannot hang anything on their walls.



In the picture: the pictures hung on Abrahah's wall in Holot

## Pressure to Leave Voluntarily<sup>36</sup>

*"We are being told all the time: If you will not sign, you will stay here for the rest of your life!"*

*"Every time I ask for time off outside of Holot, they tell me 'If you will sign that you return to Eritrea, you will get time off.'"*

*"During the interviews in prison, they put pressure on me to go back to my country, to*

<sup>35</sup> Ephraim, Omri "Asylum seeker ordered to take down pictures of crosses", *Ynet*, March 24, 2014

<http://www.ynetnews.com/articles/0,7340,L-4502860,00.html>

<sup>36</sup> A standup show, dated June 9th, 2014, written and performed in Hebrew by Holot detainees, describing the pressure to leave and the attitude of MoI officials toward them is available at:

<https://www.youtube.com/watch?v=SsbgVueqkyM>

*sign. They insult us, saying 'Israelis don't like you, they don't want to see you because of your color' and other things that I don't dare repeat. They call me to the office and start asking again and again if I want to go back. If not, they say I will stay in prison for ever. In Saharonim they called me for such 'persuasion talks' about twice a week. I'm in Holot less than a week now and they already called me twice. There are people that might go back home despite knowing what awaits them there. It will not happen because they will be happy there or because their situation will be better there. People lose hope and become depressed. The purpose of this place [Holot] is to make you lose your human dignity. Those who decide to return do it although there is a chance that they will be killed by the Sudanese government. They cannot hear any more insults from the Israeli Immigration authority"*

*"They want to accuse us and say that we are wrong. This is why they opened Holot prison. Two years ago we submitted asylum requests inside the prison and now they start rejecting our requests. They want us to go back home. They put all this pressure on us and create problems for us in order to oppress us so that we will go home."*

While summoned to Holot, asylum seekers receive, attached to the summon paper a proposal to join the "voluntary leave" program allowing them to receive, first until the end of March 2014 and then extended until the end of June \$3,500 in addition to a plane ticket to their home country. If they are still not convinced, while arriving Holot, they receive a "voluntary leave" booklet that elaborates their possibilities and asked if they are willing to leave the country and that if not, they will be indefinitely detained in Holot. Eritrean asylum seekers receive a booklet that offers them the possibility to return to Eritrea, Uganda, or Rwanda and receive \$ 3,500 if they agree to do so.

Israeli human rights organizations receive disturbing news regarding some of those who left "voluntarily". According to the MoI, until the end of March 2014, 367 "voluntarily" returned to Eritrea so far. We have news about two of them, who according to Swedish human right activist Meron Estefanos, managed to bribe their way out of the Eritrean prisons and to escape to Ethiopia. Several sources in Sudan claim that 13 Sudanese asylum seekers were murdered by the authorities while other returnees are detained and tortured. Several Sudanese newspapers reported that Sudanese security forces detained a person who was spying for Israel and are monitoring the "spies" who have recently returned from Israel to Sudan to conduct sabotage operations.

Asylum seekers in Uganda and Rwanda who spoke with the Hotline for Refugees and Migrants, report that they entered the countries with a 10-day tourist visa on their Israeli travelling document. The travelling documents were taken away from them upon their arrival by a local clerk who waited for them at the airport and no other alternative document was provided to them. Eritreans and Sudanese who left for Uganda had relatives and friends waiting for them there, but Eritreans who left for Rwanda, claimed that there is no way for them to support themselves there and that they try to find their way to Uganda, or South Sudan, without having any identifying documents. Asylum seekers in Holot relate that they manage to communicate with their friends who left. They are not sure if they should try return to their homeland, despite the risk, try to reach Uganda and Rwanda where they know that no protection or identifying

documents will be provided for them, or just continue remaining in the Israeli jail, without knowing if and when they will be released.

En Eritrean asylum seeker detained in Holot explained to Hotline activists that due to the failure of the state of Israel to provide him asylum, he would like to try a third country, *"but not to Africa, since they deport you back to Eritrea! The state of Israel says to people that they will receive asylum in there (in Africa) but there is nothing there. They return them to Egypt and from there to Eritrea, where you end up in jail."*

### **Depression and Hopelessness in Holot**

*"The most terrible thing in Holot for me is that I am in prison more than two years. The most terrible thing is that it is unlimited, this is the problem. I am a human being. I cannot spend my entire life in prison. This is indignity to people. Holot is located at the middle of the desert, we are being separated from our community in Israel and from anything that can enable us to communicate with society in Israel. This is hard. We are being downgraded to an inhuman degree; we cannot talk with other people. I am depressed, very angry. I feel that I am not a human being. I have done nothing in my life that justifies being in prison even for one second. This is what I think. I know where I came from and I think that everybody knows. I feel here that I am not a human being. If I would have been a human being they wouldn't have treated me like that."*

*"I am in prison for such a long time and within a short while I feel I will become an animal, I do not have a head anymore. I do not learn or work and I do nothing, I am not like a human being."*

The State's response to the High Court mentioned: "three social workers work in each section (in which 1,200 detainees can be populated) and a social worker is running this section.... In each one of the sections there is social worker who sees the detainees in his office on a regular schedule."<sup>37</sup>

Our conversations with detainees indicate that they are under great stress. All the prisoners we spoke with were not aware to the presence of the social workers at the detention center. The reason might be the fact that there are only a few social workers for large number of detainees, or the fact that information on the social workers appears only in Hebrew. Either way, social workers are not trained psychologists and cannot provide treatment to a population of people who are suffering from traumas caused by genocide, torture, persecution, war, a population whose traumas are exacerbated due to the open-ended nature of their detention.

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<sup>37</sup> State response from March 11 2014 in High Court case 8425/13 Gebreselassie v. the Knesset, article 192

## **Second Class Justice for Second Class Litigants**

Immediately after the Holot facility was established and asylum seekers were summoned to detention there, the Hotline for Refugees and Migrants as well as private lawyers started filing administrative petitions to the district courts on behalf of asylum seekers summoned to Holot.

In addition to the claim that Holot is a detention facility and that the 4th amendment to the Anti-Infiltration Law contradicts the Supreme Court verdict,<sup>38</sup> the petitions argued that the law demands that a proper hearing will be conducted to the asylum seekers before summoning them to Holot. Additional arguments were that the summonses are issued to people who do not meet the criteria set by the MoI, that the decision to summon a person to detention is not explained, that the MoI ignored humanitarians reasons or health problems that might worsen in Holot, and that the MoI did not take into consideration that some of those summoned to Holot filed asylum requests months and even years ago and did not receive a reply.

Most summonses that were challenged in court were suspended and several district courts judges criticized the MoI for their policy of not holding hearings prior to issuing summonses to detention. Some petitions were rejected and others were accepted. The vast majority of the petitions were transferred to the new Tribunal for Appeals.

On May 26, 2014, following a petition filed by Adv. Asaf Weitzen of the Hotline for Refugees and Migrants on behalf of a Sudanese citizen, Mutasim Ali, the State agreed to accept the Supreme Court's offer for a change in the procedure of issuing summonses to Holot. Under the new procedure, starting June 6, and for a test period of three months, the Ministry of Interior holds a hearing for each asylum seeker before issuing a summons. In the hearing, the asylum-seekers have an opportunity to present their personal case and to be represented by an attorney.<sup>39</sup>

Mutasim Ali was granted such a hearing, which ended with the Immigration Authority's decision to return him to Holot facility. As far as the Hotline is aware of, so far, only married men and fathers who managed to prove themselves as such, benefited from the new procedure. The case is still awaiting a verdict.

On June 1, 2014, an amendment in the Entry to Israel Law that created the Tribunal for Appeals came into force. The new Tribunal replaces three Administrative Courts: the Jerusalem, Tel Aviv and The Central Court. Only four judges were appointed to this Tribunal, in addition to the head of the Tribunal. At the end of May 2014, the legal advisor of the Immigration Authority reported to the Knesset that the new court will receive about 1,200 pending files, which will be transferred to it from the Appeals Committees. In addition, it will receive about 700 pending cases from district courts. The court fee for the new court is 657 NIS and getting a waiver for the fee is much more difficult than it is for District court petitions.

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<sup>38</sup> High Court case 7146/12 Adam v. the Knesset, verdict dated September 16, 2013.

<sup>39</sup> High Court case 2863/14 Mutasim Ali and others v. the Ministry of the Interior and others, State response dated May 26, 2014

We suspect that the establishment of the new Tribunal, with its only four judges, will limit the access of asylum seekers and migrants to the judicial system.

The court case of Sadik el Sadik demonstrates the problems with this new legal instance:

Sadik, an asylum seeker from Darfur was sent under the "voluntary leave" procedure to Addis Ababa. Since he refused to board the connecting flight to Khartoum and the Ethiopians refused to allow him to stay, he was deported back to Israel, against his will, on May 11, 2014. Sadik was immediately transferred to Holot. The day after, the Hotline for Refugees and Migrants filed a petition to the Central District Court, demanding that the court void the summons of Sadik to Holot. The main argument in the petition was that the summons to Holot was issued unlawfully under the Anti-Infiltration law, since Sadik was no longer an "infiltrator" - he entered Israel through Ben Gurion airport. The Hotline asked for an urgent hearing and an interim order. The Judge, Marshak Marom, scheduled a hearing to June 10, stating that this is the earliest possible date and postponed the decision regarding the interim order until he received the State's response. The Hotline immediately served a request for appeal to the Supreme Court, demanding an interim order. Judge Fogelman rejected the request but stated that under these circumstances, it is advisable to hold the hearing as quickly as possible.

The Hotline asked the District court for an earlier date for the hearing but Judge Marshak Marom stated once again that there is no possibility to hold the hearing earlier. On June 1, the Hotline received a decision transferring the case from the Central District Court to the new Tribunal for Appeals. The next day, Adv. Carmel Pomerantz from the Hotline visited the offices of the new Tribunal in an attempt to schedule an urgent hearing there. The secretary of the Tribunal explained that there is no way to do so since the District court files were not yet transferred to the new Tribunal. The Hotline immediately addressed the District court, stating that both the District Court and the Supreme Court found that the case should be heard as soon as possible, and found the scheduled date of the hearing - June 10 - too far away. The original scheduled hearing date passed already and the State Attorney confirmed that the files were not transferred yet. Sadik has been unlawfully detained in Holot for more than a month now and there is no decision yet regarding the Hotline's request for an urgent hearing date at the District Court for him.

About 2,000 cases await a hearing at the new Tribunal, together with Sadik's. The number of Tribunal judges – just four – raises the suspicion that justice will not be done to detainees in Holot. This policy may result in second class justice for second class litigants .

## Summary

The inability to exit the detention center and forced idleness of the detainees leads to depression and hopelessness that can be felt upon entering the prison. From talking to prisoners, it becomes clear that the endless bureaucracy, the long hours of standing in lines, the lack of control regarding any aspect of their life, the inability to bring in most personal belongings, the lack of privacy, the uncertainty regarding the regulations of the place and the unlimited period of the prison time, crush the spirit of the detained asylum seekers.

People who only few months ago led independent lives, provided for themselves and for their families, all without any governmental help, are now wandering around like lions in a cage, sitting and staring in the air or sleeping for most of the day. Almost in every room one can find asylum seekers sleeping during the day, with blanket over the head trying to escape the boredom and depression. "Queue to exit and to enter, queue for signing, there is a queue for everything here, except for sleeping," remarked bitterly one of the detainees.

The document's aim is not to improve the conditions at the "Holot" prison. Improvement of the physical conditions or adding recreational activities would serve as a fig leaf for the unjust imprisonment of those who arrived to Israel seeking asylum, but found a prison instead.

On April 1st, 2014, the Supreme Court held a hearing regarding the NGOs' petition against the 4th amendment to the Anti Infiltration Law, which created Holot. The State argued that Holot is not a prison and that the asylum seekers are not detained there, since it is an open facility. A decision is yet to be made. Meanwhile, many asylum seekers who refuse to be detained again, accept the State's offer to leave to Uganda or Rwanda, despite knowing that no protection is offered there.