

Hotline for Migrant Workers

"You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt" - *Exodus 22:20*

July 4, 2012

Current Report: Detention and Deportation of South-Sudanese Refugees from Israel

The *Hotline for Migrant Workers*, whose activists have been visiting these last 14 years detainees held in various prisons pending their expulsion from the country, would like to direct attention to the plight of those who are now incarcerated prior to their deportation to South Sudan. Out of 18 visits to prisons they made in the last month, Hotline's activists dedicated 10 visits to the incarcerated refugees from South Sudan. These visits aroused the issue of violations of rights that are detailed in this document:

- Detention of **North**-Sudanese refugees, including families with children, despite the fact that they cannot be deported.
- Detention without allowing sufficient time for the collection of personal belongings.
- Detention of persons who had signed up for "Voluntary Departure" prior to their arrest.
- Not allowing detainees to withdraw money from their bank accounts and/or to close these accounts.
- Not allowing them to collect back wages due to them and related social benefits.
- Not allowing to collect medications for those detainees who need them.

On June 7th 2012, the court rejected the Human Rights Organizations' appeal against forced repatriation of South Sudanese refugees. The Department of Immigration announced that it allows the South Sudanese refugees a week for arrangements and signing up before it will begin to arrest them; nevertheless, its inspectors raided employers already on Saturday evening, and they arrested South Sudanese refugees in Eilat and its surroundings. According to media reports, in the first four days of arrests, 40 South Sudanese were rounded up, and in the three weeks that followed, dozens more of South Sudanese were arrested and detained pending deportation. Detainees reported on immediate arrests, on the fettering of their feet with shackles, including the feet of women and children, and on an announcement made allowing them only ten minutes to pack their personal belongings. Detainees complained of lack of food supplies on the day of arrest. Women in the Saharonim prison complained of lack of food fit for children in the prison facilities, and bitter cold at night due to lack of extra blankets. Families arrested together were separated: the men were sent to Ketziot prison, whereas the women and children were removed to Saharonim prison. The women complained that by preventing them from meeting their partners after the arrest, they were denied the possibility to plan their future steps. Women from North Sudan protested that being denied a meeting with their partners hinders them from deciding how to deal with the detention and the fears of deportation. Also, it remains unclear whether the Department of Immigration will fully observe the necessity to put all family members together on the same flight. Two mothers complained that their sons, both 15 years old minors, were separated from them and from their siblings; that they were left uninformed as to where their sons were being held; more than a week after their arrest only were the mothers permitted to meet their sons for the first time.

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Activists of the **Hotline for Migrant Workers** visited twice, in the last month, the women and children incarcerated in Saharonim prison; they made eight visits to the refugees kept in Givon prison. The Hotline's activists did not visit any of those detained in Ketziot prison, since it is not possible to present powers of attorney for the refugees held in that prison.

Detention of North Sudanese Refugees

In the course of the detention operation, which was given the name "Returning Home", refugees from the state of North Sudan – Darfur, the Nuba Mountains and the Blue Nile – were arrested as well. Presumably, the Department of Immigration officials hoped that the arrest, added to threats that those who will not "depart voluntarily" will be imprisoned for three years by the Infiltration Prevention Law, will cause North Sudanese refugees too to decide to go to Juba, capital of South Sudan, although they are unable to acquire citizenship there.

Last month, following an escalation in violence between North Sudan and its South, citizens of North Sudan were proclaimed enemies of the South, therefore the state of South Sudan refuses to let them enter its boundaries. Since the state of Israel has no diplomatic relations with the government of North Sudan, the refusal of South Sudan to receive within its territory refugees from North Sudan effectively precludes the expulsion of North Sudanese refugees from Israel in the foreseeable future.

We have learnt through the media that four Darfur refugees, who were sent to South Sudan on a flight to Juba on June 17th 2012, are being returned to Israel because the government of South Sudan refused to receive them.

Nevertheless, the Department of Immigration persists in arresting North Sudanese refugees, including families with children, although it is evident that it will not be possible to deport them in the near future.

Thus, for example, on July 1st 2012, a family from the Nuba Mountains was arrested, including its two children, grade A and grade D. The entire family was released on the same day, seemingly as result of the publication of its photos on social networks and the media, accompanied by an appeal to the Minister of the Interior.

On July 2nd 2012, North Sudanese refugees from Darfur and the Nuba Mountains were arrested. An appeal made by social activists through social networks resulted in their release that very same evening

The **Hotline for Migrant Workers** succeeded in bringing about the release of two North Sudanese refugees from Givon prison. However, the Hotline's activists know six incarcerated refugees, whose country of origin is North Sudan, and who have not yet been released, though appeals for their release were presented to the relevant authorities.

Ketziot Prison

Based on information supplied by various sources as well as telephone calls received from South Sudanese detainees, the **Hotline for Migrant Workers** prepared a list of 28 South Sudanese who were removed upon their arrest to the Ketziot prison, near Saharonim. The information gathered by the Hotline portrays the following picture of the detainees in Ketziot prison.

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Out of the 28 detainees whose details have reached us:

- 16 have left money in their bank accounts, and were not allowed to draw it upon their arrest.
- 9 detainees asked for our assistance in collecting their last salary, as well as their related social benefits, from hotels that had been employing them for two up to five years.
- 2 detainees complained that they were unable to collect their personal belongings upon their arrest.
- 1 detainee had paid for a laptop computer which remained in the store in his city of residence.
- 1 complained that he had brought his belongings with him, but was told that they got lost in prison.

Saharonim Prison

To our best knowledge, in Saharonim prison are detained around thirty women and children, who are listed as South Sudanese. The **Hotline for Migrant Workers** has sent requests for the release of two women whose country of origin is North Sudan: one was incarcerated on June the 12th 2012 together with her daughter, and the other was arrested with her three children, aged 9, 7 and 4, on June 18th 2012, when she approached the Ministry of the Interior in Beer Sheva in order to regularize her visa.

A third family from the Nuba Mountains, who had been living in Arad and was arrested on International Refugee Day (June 20th 2012), was released two days later, following the posting of their ten years' old daughter's photo on Facebook by social activists, accompanied by the activists' appeal to the Minister of the Interior to release her from jail since she is not a South Sudanese. Along with this family were released a woman with her three children, an appeal to the Minister of the Interior for whose release was made by activists through Facebook. Another mother and daughter from North Sudan, who were arrested three weeks ago in Eilat when they approached the Ministry of the Interior in order to extend their visas, are not willing to disclose their personal details in public, therefore it was only possible to apply in their name via standard procedure. They are still detained in the tents of Saharonim prison.

The **Hotline for Migrant Workers** submitted an appeal to release from prison a woman from South Sudan who was arrested on June 13th 2012 together with her two sons, one aged 3 years and the other 7 months. The woman was only brought before a Custody Tribunal six days after her arrest, contrary to the provisions of the Entry Into Israel Law, which instructs to bring the detainee before a judge within 96 hours from the time of arrest. Despite the Hotline's appeal for her release, the tribunal chose to return the file to examination by a border control officer. On June 25th 2012, the **Hotline for Migrant Workers** submitted another appeal to the tribunal, which remains as yet unanswered.

Also, the Hotline submitted requests for the release of three women and their nine children, all from South Sudan, as well as two fathers detained in Ketziot prison since the 11th and 12th of June 2012. All these families' members had signed the documents for a "Voluntary Departure", yet, from the

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hearing held at the Custody Tribunal, it arises that no date for their flight was set. The Hotline **for Migrant Workers** submitted requests for the release of two minors from South Sudan, both aged 15 and detained since June 11th 2012 separately from their family members, in wing 8 at the Saharonim prison. All of the last mentioned are still held in jail.

Requests to collect personal belongings were submitted for 8 refugees from South Sudan, who were prevented from collecting their belongings upon their arrest.

Givon Prison

In Givon prison, activists of the **Hotline for Migrant Workers** located 22 refugees who were arrested pending their deportation to South Sudan. All of them had signed the documents for "Voluntary Departure" upon their arrest. The detainees asserted that they are on hunger strike, an assertion denied by the prison authorities.

Until now, the **Hotline for Migrant Workers** has succeeded in releasing from detention one South Sudanese who had signed documents for voluntary departure even before the rejection of the appeal that protected the South Sudanese from detention, as well as two North Sudanese refugees who managed to prove that they are not from South Sudan.

The 22 South Sudanese detainees with whom the Hotline's activists spoke in Givon prison complained of the following violations of rights:

- 4 detainees were arrested by mistake, since they come from North Sudan (two from Darfur, one from the Nuba Mountains and the forth from North Sudan).
- 11 detainees asked for our help in collecting their back wages as well as their related social benefits.
- 3 detainees have money left in their bank accounts which they were prevented from drawing upon their arrest.
- 7 complained of being prevented from collecting their personal belongings upon their arrest.
- 4 complained that they were arrested in the middle of medical treatment, that they were prevented from bringing along their medications and that they feel their condition has been deteriorating in prison without the medications.

Conclusion

The **Hotline for Migrant Workers** is working for the release from prison of North Sudanese refugees, and also, together with Kav La'Oved, it is striving to collect the back wages and social benefits due to the detained refugees prior to their expulsion from the country. The Hotline approached the relevant authorities in order to arrange for the collection of personal belongings and medications. However, there were some among the detainees who had expressed their wish to leave the prison as soon as possible, even if that would mean renouncing money due to them by their employers in Israel.

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It may be assumed that there are more detainees who, despite their actual plight, have not been able to approach the Hotline's activists, and we are unaware of their existence and whereabouts. The violations of rights detailed in this document are the direct result of the malfunctions of the Department of Immigration, which hastens to come out with aggressive arrest campaigns without preparing for their results.

To conclude, even if the state of Israel has decided on the immediate expulsion of the refugees from South Sudan, the repatriation should be carried out with utmost regard for the rights of those expelled, and with refrain from unnecessary infringement of rights, including their right to freedom, dignity and property. The Department of Immigration ought to adopt right now – before group protection for other refugee communities has been revoked, and in order to diminish detriment to these communities in the future – a "Termination of Group Protection Procedure", so as to regulate the affairs and the rights of these communities prior to their departure from the country.

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