



**HOTLINE FOR MIGRANT WORKERS**  
**Annual Report 2006**

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Photograph: Shay Ben Efraim

# I. Introduction

## **Dear Friends and Supporters,**

It is my great honor and pleasure to write this introduction to the Hotline for Migrant Worker's 2006 annual activities report. The last year has been rich in accomplishments for the organization. Some of the more significant ones are listed below.

- Volunteers with our Crisis Intervention Center assisted 4,100 clients from 79 countries. They worked tirelessly on behalf of some of Israel's most distressed, conducting their work with good will, consistency, patience and professionalism. I want to personally express my appreciation to the Center's Director, Emi Saar, for all of her efforts. She proves that a few committed individuals can indeed make a significant difference in the lives of many.
- The Supreme Court finally cancelled the binding of workers to their employers. The judges further instructed the government to create a new procedure whereby workers will not be dependent on their employers for legal status. For over three years we collected information and evidence in what appeared to be a Sisyphean task. Yet, this evidence was crucial in convincing the court that only through cancellation of this policy could the State preserve the human dignity of migrant workers.
- We realized that in regards to sex trafficking, perhaps more than in any other realm, public education is the key towards eradicating the phenomenon. Therefore, we developed new and innovative methods of informing the public of the ugly side to this phenomenon.
- The Israeli government decided to grant legal status to about 600-700

children of migrant workers. This is a huge accomplishment, given Israel's extremely restrictive immigration policy. We invested many efforts in empowering the youngsters while providing them with the tools to advocate for themselves; something they did very effectively.

- Sudanese asylum seekers posed a new challenge to our organization. Here, again, our staff and volunteers found creative ways to release people from what would otherwise have been harsh and indefinite imprisonment. We recruited many renowned Israeli personalities and institutions including former Chief Rabbi Meir Lau and Yad Vashem and brought this painful topic to the front pages of newspapers.
- As always, we could not have reached these achievements without the close work and cooperation of partners such as Kav LaOved, the Association for Civil Rights in Israel, Physicians for Human Rights, Amnesty International, Isha l'Isha- Haifa Feminist Center, Messila and many others. They are proof that by working together, we can achieve the impossible.

I especially want to acknowledge our wonderful staff and volunteers. They continue to energetically and optimistically promote human rights in Israel. I also wish to send special congratulations to Shevy Korzen, our amazing Executive Director, on the birth of her son Uri. Last, but surely not least, I am grateful to our donors and members who enable us to achieve our mutual goal of creating a better Israel.

**Myriam Darmoni Sharvit, Chairwoman**

## II. Sex Trafficking

### A. Combating Trafficking in Women

#### 1. Background

Trafficking in persons in Israel began in the 1990's when women from the former Soviet Union were brought into the country to work as prostitutes. Severe economic and social crisis in their home countries contributed to this phenomenon.

In 1998, when our volunteers began visiting detention centers, we came into contact with these women. They were detained as 'illegal migrant workers' pending deportation. Yet, when we listened to their stories, we understood that their situation was qualitatively different from that of others. They were reluctant to speak with us; rather wanted to get their passports and return home as quickly as possible. They disclosed parts of their stories: rape, violence, humiliation and crushing poverty. When we offered to represent them, they refused by telling us they would risk danger at the hands of their traffickers in their home countries.

During our early years our anti-trafficking activities focused on collecting information, bringing media attention to the issue, representing women in gaining rights and advocating with the newly established Knesset committee on trafficking. We published a major report on the issue, the first of its kind, in 2003, based on 106 in-depth interviews.

However, there was little cooperation from the authorities until 2001, when the US State Department published its first Trafficking in Persons Report. The report ranks each country in the world according to their track record in combating trafficking. It further threatens to withdraw all but humanitarian aid to countries with poor records who do not improve. During that first pivotal year, Israel was placed in the lowest tier and was branded as having a problem and doing nothing to solve it.

As a result, the government began to enforce a hastily passed amendment to a law which banned sex trafficking. Another turning point was reached in 2004 when the government opened a shelter for women trafficked for sex. The opening of the shelter indicated that the authorities began to regard the women as victims rather than accomplices. They began to receive State-provided healthcare, work and stay visas, psychological support and placement in mainstream employment. Simultaneously, the authorities became more open to receiving training from us. Today, each woman is entitled to legal representation provided by the State, and virtually all trafficked women are transferred directly to the shelter, without being detained first. As a result, fewer women are being brought into Israel. We are proud to have played a pivotal role in these developments.

Despite these improvements, some problems remain. The sex industry has moved underground making it harder for us and the authorities to find women trapped in the trafficking cycle. We assist many women who previously fled from their traffickers, yet never



A brothel in Tel-Aviv

received any kind of assistance or rehabilitation. Some of these women have severe health problems or find themselves trapped in dangerous and difficult situations. Ignorance still exists among the authorities, expressing itself in disrespectful treatment towards the women. Enforcement is not sufficient, nor is healthcare for women residing outside of the shelter. The greatest problem, however, remains apathy on the part of the public, and specifically the client, who continues to fuel the demand for purchased sex. As a result, we have greatly expanded our public education activities, including lectures. These efforts will culminate in the opening of a trafficking and migration resource center, June 14, 2007.

## 2. Personal Assistance

Hotline Volunteers and Staff...

- Conducted 100 visits to detention centers and 21 to the Maagan shelter for trafficking survivors.
- Met with 388 women and identified 77 as survivors of sex trafficking
- Assisted 34 women in applying for transfer to the shelter.

**New Directive - Transfer Directly to the Shelter:** For years we have advocated for moving women directly to the shelter without detaining them first. We worked with partners to formulate a unified message, brought up the issue at meetings and lectures and provided first hand testimony regarding the significance of the issue for survivors. In August these efforts bore fruit when the police issued a directive whereby survivors of sex trafficking must be placed directly in the Maagan shelter and not put in detention. In general, this directive is being upheld; at the conclusion of 2006, 12 women had been transferred directly to the shelter by the police.



Idan Halili of the HMW lecturing on trafficking in women

**Trafficked Women Visiting Detention:** In June 2006, we began to integrate two women residing at the Maagan shelter into our visits to detention centers. We believe, due to their personal experience, they are best placed to identify other women and speak to them with credibility. They have been instrumental in gaining the trust of trafficked women in detention and encouraging them to access rehabilitation services.

One of them had this to say about the experience: "If I were able to say one thing to women still trapped in the trafficking cycle, I would say that sometimes when you are on the inside it looks as if that kind of life is your only option. I discovered that this is not true. It is possible to live differently." She added: "Generally speaking, I feel that my life is slowly moving in the

right direction. The visits to detention are an important aspect of that- they have helped me feel more confident in my abilities and more competent in general."

### 3. Legal Action

We represented the following women:

- The daughter of a woman, who was trafficked and committed suicide.
- A woman who suffered from severe physical injury when she escaped from a brothel by jumping out of the window.
- A woman who was raped by a policeman and did not receive any legal redress.
- Five women who were unlawfully detained.

**Proof of Damages:** In May we established an important legal precedent when a regional court judge ruled that a trafficked woman is not required to prove specific physical and psychological damages caused to her by her traffickers in order to sue for compensation; rather trafficking itself constitutes damages. In addition to the practical significance of this ruling it also sends the message that trafficking is a fundamental violation of a person's dignity deserving of compensation.

**Petitions for Legal Redress:** The Legal Aid department of the Ministry of Justice is now representing women in civil suits. As such, they are instrumental in helping the women obtain legal redress for their suffering. To help them do this more effectively, we represented two women in suits for damages against a trafficker. This particular trafficker headed an organized crime ring which brought many women into Israel and was sentenced to 14 years in prison. Despite this unusually stringent punishment, the women were awarded very small amounts of compensation during the criminal proceedings. We felt that there was a need to file a separate civil damage suits against him. On December 24 a ruling was given whereby each woman was awarded 425,000 NIS in legal redress, a precedent-setting sum.



"Hey guy, want some release?"

### 4. Public Education Activities

**Client Education:** We ran a competition on the internet, soliciting designs for cards which, at first glance, appear to be sex advertisements, but on a closer inspection contain information exposing the harsh realities of trafficking and prostitution. One thousand copies of the winning design were



"I also want to be released. 92% of women working in prostitution want out."

distributed in 2006.

**Lectures:** In 2006, with the help of 20 newly recruited and trained volunteer lecturers, we conducted a total of 114 lectures, reaching about 4,300 people, including:

- 52 lectures to schools and youth groups
- 20 lectures to various army groups including border patrol guards
- 11 lectures to government employees including clerks at the Ministry of Interior

## B. Choosing Freedom

### 1. Personal Assistance

**Choosing Freedom** is a joint initiative of the Hotline for Migrant Workers, Isha L'Isha-Haifa Feminist Center and the Association of Rape Crisis Centers. Launched in mid-2005, **Choosing Freedom** aims to provide assistance to all trafficked women, including those trapped in the trafficking cycle, and women who had previously managed to escape and were in need of assistance. Other activities inform the public of the ugly face of trafficking, while increasing their sensitivity to the plight of the women.

**Phone Calls to the Telephone Hotline:** In 2006, we received a total of 132 phone calls to the emergency telephone hotline. Twenty three of the callers were trafficked women while the remaining 109 callers included the general public, the media, clients, people seeking information and potential volunteers. Women were also referred to the project through NGOs in source countries, and by the partner organizations, who met with the women in detention, or heard about them through other sources.



Outreach flyers distributed in Israel and by NGOs abroad

### Primary Services Provided for Women:

- On-going support and advice during criminal proceedings against traffickers: 31 women
- Safe and coordinated return home through partner NGOs in source countries: 14 women
- Transfer of legal redress to women in source countries: 10 women
- Assistance in obtaining legal status: 6 women.
- Medical assistance: 5 women
- Temporary shelter and emergency aid: 4 women

- Legal advice in civil cases: 3 women

**Outreach Campaign:** Volunteers from the partner organizations and other NGOs conducted an intensive outreach campaign, designed to reach the women and inform them about the project. They distributed outreach flyers to stores, brothels and other businesses 58 times in six different cities. Flyers were also distributed to agencies likely to come into contact with women, such as taxi stands, hospitals, or other NGOs in Israel and abroad. They were either mailed or hand delivered 561 times in 2006.

## 2. Economic Empowerment Course

In 2006, we launched an economic empowerment course for women residing in the Maagan shelter. The course was designed to give women practical skills for economic self-sufficiency in mainstream employment, while building their sense of personal competence. Course content included:

- **Practical Skills:** The women learned job search skills, how to manage a budget and concepts of business management, such as marketing.
- **Personal Development:** The women explored their own personal professional interests and engaged in a process of goal-setting.

The course consisted of 13 meetings, held for two hours each week. Two Russian-speaking trainers, both affiliated with Supportive Environment – The Center for the Promotion of Businesswomen, guided the participants in their learning process. An evaluation process accompanied the course.

The women were encouraged to choose one of two directions for their learning- either integrating into the job market or developing their own personal business plan. Those who hope to find outside employment received guided instruction on creating a resume, conducting job interviews and engaging in a job search. Those hoping to open their own business received assistance in creating a solid business plan.

Many women mentioned that as a result of the course, they are more aware of their own personal competencies and interests.



A poster advertising the hotline number for Choosing Freedom

### 3. Media Campaign

In late 2006, we conducted an intensive media campaign in the context of **Choosing Freedom**. It included video clips aired on television, radio broadcasts and an advertisement on the internet. The goals were two-fold: (a) to reach women and encourage them to call the hotline and (b) to educate the public about trafficking and to encourage them to assist the women in exiting the trafficking cycle.

**Video Clip:** We used a video clip prepared by the UN which was translated into Hebrew and Russian. Between September 26 and October 22, it was broadcast as follows:

- 12 times on Israeli channel 2
- 110 times on Israeli channel 10
- 88 times on Israeli Russian language channel 9 between October 25 and November 11.

These broadcasts were aired during community service hours. The clip was also shown on all incoming and outgoing El Al planes for a month beginning November 26.

**Radio Broadcast:** A radio broadcast was produced by the project. It requested that the public, including taxi drivers and clients, help women leave the trafficking cycle. The advertisement was broadcast a total of 760 times on 14 regional radio stations over two weeks in November.

**Internet:** For two weeks in late November, we placed a banner on sites and forums managed by the Walla website.

### 4. Katya's Story

Katya is a 23 year old originally from Moldova. She was brought into Israel, via Egypt, at the age of 17. She was trapped by her trafficker for six months, and raped by

him, until the police raided the brothel and arrested her for illegal entry. Fearful of the trafficker (who had, in fact, threatened her family), and distrustful of the police, she fled from the hostel where she was being housed, without giving testimony.

Katya sought refuge with a former client, whom she married two years ago. She lives in central Israel with his family and is now mother of a baby girl.

However, she always felt that this issue was unresolved and that she hadn't completely put that part of her life behind her. These feelings were triggered anew when she saw an ad about **Choosing Freedom** on channel 10 TV in October. The ad inspired her to take a more active approach to dealing with her past and she called our telephone hotline. In a more stable place, Katya was ready to give testimony against her trafficker. However, her testimony was not needed as he had already been sentenced to 10 years in prison.

We provided her with other forms of assistance. We facilitated contact with the Legal Aid department of the Ministry of Justice to give her representation in filing a civil suit against the trafficker. We also enabled her to begin psychological treatment with a Russian-speaking psychiatrist experienced in treating cases of sexual violence. These meetings have made a tremendous impact in Katya's life. Now she is more confident and willing to talk about issues which bother her in her marriage.

Katya called us to tell us about some of the changes in her life. She said "Prior to calling the hotline, I thought about the period in which I was trafficked all the time. It was hard for me to relax and move on with my

life. Since I contacted the hotline, my life has changed for the better. I feel good about the direction my life is moving in and more hopeful about the future. Through **Choosing Freedom**, I have found people in the world who really care about me and want to help me."

Katya is currently studying for her psychometric exams in preparation for university. She hopes to study criminology and wants to work with the police.

\* Her name has been changed.

### **C. Anti-Trafficking Legislation**

A new, comprehensive, anti-trafficking law passed a final vote in the Israeli Parliament on October 17. Approved by a majority of MP's, it both expands the definition of trafficking and contains important protections for victims. The law complements and enhances pre-existing legislation outlawing sex trafficking - its main strength being that it includes all forms of trafficking such as labor trafficking, trafficking in organs and child trafficking. Some other highlights:

- It establishes punishments similar to those for serious crimes such as rape, including prison terms of 16 – 20 years for traffickers.
- It establishes a fund consisting of fines and property confiscated from traffickers by court order. Half of this money will be earmarked for rehabilitation, while the other half is intended for prevention and prosecution.
- It recognizes that legal redress is a basic right for trafficked persons. We were successful in inserting a clause into the law whereby a judge who does not award a trafficked person legal redress is instructed to explain their reasoning

behind this decision. Also, in cases where the court has ordered traffickers to pay out compensation to a trafficked person, yet they fail to pay these monies, survivors can claim them from the fund.

- All trafficked persons will be entitled to state provision of legal representation in civil cases.

The law was initiated by MP Zehava Galon and the Israeli Ministry of Justice in 2003. However, the main push for its passage came following a downgraded rating in the 2006 US State Department Trafficking in Persons report. The report primarily criticized Israel for inaction regarding labor trafficking.

We were instrumental in passage of this law. With Kav LaOved, we prepared five position papers and submitted them to the members of the legislative committee. We also attended all of the committee meetings and many of our requests were incorporated in the law.

## III. Migrant Workers

### A. Migrant Workers

#### 1. Labor Trafficking

While progress was made combating sex trafficking, labor trafficking was on the increase. During the years 2001-2002, the U.S. State Department's Trafficking in Persons report addressed trafficking for prostitution yet paid little notice of the increasing numbers of migrant workers also being trafficked into Israel. However, subsequent reports commended Israel for progress made in combating sex trafficking, they commented on Israel's failure to sufficiently address labor trafficking.

In the 2006 report, Israel was downgraded from tier two to tier two watch list - primarily for a failure to address trafficking of migrants. Due to this downgraded rating, in October 2006, the government passed comprehensive anti-trafficking legislation whose primary importance lies in the fact that it outlaws trafficking for labor.

Today, labor trafficking is the biggest challenge facing the State. Despite passage of the law, to date, no cases have been opened against labor traffickers under this law and no services are systematically offered to their victims. Rather, trafficked migrant workers continue to be detained, without being properly identified. Great strides have been made in combating sex trafficking, particularly in terms of rights for victims and law enforcement. As the only organization in Israel actively assisting both populations, we will use the knowledge and expertise we have accumulated over the years in this realm to change the situation for trafficked labor migrants.

#### 2. Background and a Story

**Background:** In 2006, the government continued its policy of deporting workers already in Israel while manpower agencies recruited new ones. Approximately 87,000 work permits were issued including 44,000 in care giving, 29,000 in agriculture and 12,000 in construction.

The scope of the Immigration Authority's (IA) work has changed considerably in the four years since its establishment (see chart). In the early years, due to an inflated budget and a large police force, they were very successful in detaining and deporting tens of thousands of migrants. However, numbers have since dropped to pre-IA levels for a number of reasons. These include a new government policy regulating construction workers, pending legal petitions and changes in the migrant population in Israel.



Chinese migrant workers outside Maasiyahu prison

Indicator*	2003	2006
Deportations	18,000	5,000
Budget	120 Million NIS	90 Million NIS
Police Officers	480	383
Detention Center Beds	1,300	550

\* Government Statistics

In light of the current situation, the IA's mandate has changed somewhat. IA officials have shown an increased willingness to accept complaints from the HMW regarding violations against workers, and, in some cases, investigate the complaints to the benefit of our clients.

Our work has also changed. In 2006, we invested significant efforts on a smaller number of people whose cases were much more difficult and time-consuming to handle. These included unaccompanied minors, asylum seekers and foreign nationals who faced many months in detention waiting for deportation because Israel lacks diplomatic relations with their home

country. We are also seeing many cases of people who are not technically survivors of trafficking yet work under conditions of virtual slavery and extreme exploitation. H's case is typical.

**H's Story:**

H., an Indian national, is a teacher who earned \$250 a month in India. This was barely enough to support himself and his six month old son. Thus, when offered legal work in Israel for \$700 a month, he decided to take it. Even the steep commission of \$10,000 demanded by the manpower agency did not deter him. In early 2006, he took out loans to cover the fee, and arrived in Israel. However, when he arrived, H. was shocked to learn that the employer written on his passport was non-existent, leaving him without legal status. H. attempted to find work as a legal caregiver, however manpower agencies refused to assist him. Instead, they preferred workers from abroad who came with large commission fees.

After a long search, H. located an agency run by a Philippine woman married to an Israeli. She promised him legal employment for an additional \$1,000. After working for a month, H. learned that his first two months' salaries (of \$550 each), would be paid directly to the agent to cover this fee. He was also not paid during the third or fourth months and in the fifth month he received \$250. During month six, when H. made a more assertive attempt to receive his salary, his employer hit him on the head and threatened to kill him if he did not leave immediately. Jobless, and without legal status, H. began searching for work again. In September 2006, after nine months in Israel, in which he had earned a total of \$250, H. was arrested by the Immigration Authority

for residing in Israel illegally.

Although he explained his story to the police and the border control officer, an order of deportation was issued against him. In prison, the tribunal judge agreed to release him to give him the opportunity to find legal work. From this point on, we began representing him. We helped him file complaints with the police against the agent who brought him to Israel, against the agent who found him work in Israel and against the employer who was violent towards him. We followed the investigation of his cases, helped him to extend his release date from detention and assisted him in locating a new employer. In turn, H. found 10 other people who were victims of this same agent in India. With his encouragement, they shared their stories with us. During this period H. did not receive any legal documentation nor social assistance. To date, no charges have been pressed against these criminals.

In 2006, the HMW identified and assisted 19 people who arrived in Israel legally with a government-issued work permit and lost their legal status almost immediately either because their employers did not exist, refused to employ them or (in the case of caregivers) died. All of them, burdened by large debt, were willing to submit themselves to conditions of virtual slavery for the opportunity to regain their legal status.

People like H. deserve to be given legal status, and legal employment, while they are awaiting the outcomes of their cases and we will help and others like them, to advocate for these rights.



The Israeli ethnic band Boom Pam performing in Maasiyahu prison on New Year's



### 3. Personal Assistance

Staff and Volunteers...

- Assisted 4,100 callers from 79 countries.
- Conducted a total of 228 visits to detention centers.
- Met with 2,090 detainees and provided them with information and assistance.
- Distributed 2,500 cards containing our contact information.
- Provided paralegal representation to 1,677 workers facing deportation.

Some of the more meaningful work of our volunteers involves finding new employers for workers who lost their legal status through no fault of their own yet face deportation. In 2006, we provided paralegal representation to 388 Thai and Chinese workers in such situations. C. S. is one such Thai worker:

**A Story:** C. S. arrived in Israel in December of 2004. He was sent to an employer on a moshav where he worked seven days a week, about ten hours a day. His employer paid him about 102 NIS a day- well below the minimum wage. Furthermore, he was not paid overtime, given days off or paid on time. From the time Sornlom began work on the moshav, his passport was confiscated. On the first of August, 2006, Sornlom was transferred to a new employer. However, he was never informed as to whether this was his legal employer, nor was his passport returned to him.

Soon afterwards, Sornlom was arrested by the Immigration Authority (IA) for being employed by someone other than the person written in his passport. We met him in detention following his arrest, where he told us his story. A volunteer sent a letter to the IA regarding his confiscated passport,

a letter to the Ministry of Industry, Trade and Labor regarding underpayment and a request to the Ministry of Interior to place him with a new employer. In a rare victory, Sornlom's employer was fined for not paying him and he managed to recoup lost wages. We were also successful in ensuring that Sornlom's passport be returned to him and in facilitating his assignment to a new employer.

#### 4. Legal Action

**Overview:** In 2006 we handled a total of 41 legal petitions\* 24 of which were new. They included:

- Supreme Court: 9 new cases and 14 continuing cases.
- District Court: 14 new cases and 2 continuing cases.

\*These include legal petitions on behalf of unaccompanied minors, refugees and children of migrant workers.

**The Binding Policy:** Under current Israeli policy, any worker not employed by the person written on his work permit is considered 'illegal' and risks immediate deportation, irrespective of the circumstances leading to work termination. This leaves migrant workers who wish to maintain their legal status vulnerable to rights violations by their employers. A petition was filed in 2002 by the Human Rights Clinic at Tel Aviv University Law School on behalf of Kav LaOved, the HMW and a number of other NGOs. As a result, the court asked the government to develop a new system for management of migrant labor. After many months of deliberation, the system began implementation in May 2005 in the construction sector.

In an extremely important and precedent setting decision, on the 30th of March,

the high court finally cancelled the binding of workers. The judges instructed the government to create a new procedure whereby the employee's legal status is not dependent on employment. They further referenced the new arrangement in the construction sector. While not ruling on its legality, they indicated deficiencies and recommended that the state work to improve them. Although the government was supposed to present a new plan in September, it has continued to request extensions – into 2007.

## B. Children of Migrant Workers

### 1. Background

For many years we have been advocating for the rights of children of migrant workers who view Israel as their home yet lack legal status or legal rights. Our efforts finally bore fruit on June 18, 2006, when the government approved status for children who have resided in the country for at least six years; arrived in Israel prior to the age of 14; have begun studies in the Israeli school system; speak fluent Hebrew and whose parents' first entry into Israel was legal. Accordingly, about 600 of the 700 children who study in Israeli schools are expected to be granted status.

Following this decision, we assisted 278 families from 35 countries in submitting their applications for legal status to the Ministry of Interior. As of April 2007, over 81 of those same families had received a positive answer while 95 families were rejected. We helped 55 of those families to file appeals.

In late 2005 and early 2006, consistent with the belief that children are their own best advocates, we ran a public advocacy training course for children of migrant workers. In



Children of migrant workers celebrating International Migrant's Day



addition to learning how to formulate their message for the media, they developed a photography exhibit documenting their lives. Some of their work is presented on these pages.

## 2. Some Stories

**Dina's Story:** Dina, 17, arrived in Israel at the age of eight from Columbia. She told us: "No one knows about our situation in this country. When I was smaller, I didn't mind saying that we had immigrated. But my mother taught me not to tell, 'so they won't send the police.' My mother was arrested and released several times. I lived with this secret for many years. The course was the first time that I was with children who are in the same situation as me and I did not have to hide my secret anymore".

**Rebecca and Myriam's Story:** Rebecca and Myriam are sisters, eight and ten years old, respectively. Although they were born in Israel, their parents are from Ghana. In 2003, at two in the morning, they were awoken by the sound of Immigration Authority policemen breaking open their front door with a five kilo hammer. Their father, fearing arrest, hid under the girls' bed. He was discovered by the police and beaten for not turning himself in. He was then arrested and detained. Our volunteers met him in prison and helped him file a complaint regarding his violent arrest with the Unit for Investigating Policemen in the Ministry of Justice. During the investigation, we managed to release him on bail. The case was closed and we filed an appeal. Meanwhile, he was arrested again, this time on a bus on his way to work. Again, we succeeded in releasing him.

Rebecca and Myriam are fortunate their father has remained in Israel as most of the other husbands have already been deported.

Due to our intervention, he will be present on the day when his children are awarded Israeli identity cards. Although other children will receive legal status, their fathers, who were deported previously, will not be allowed to re-enter Israel. As a result of our efforts, Rebecca and Myriam will benefit from the influence and support of both of their parents.

**Lizi's Story:** Lizi, 11 years old, was born in Israel to a mother from Ghana. She is a happy girl who excels in her studies and enjoys the admiration of her many Israeli friends. Lizi told us: "I'm insulted when policemen tell me to go back to Ghana. How can I go back to a place that I've never been to? I think that if I'm forced to go to Ghana it will feel strange and people will laugh at me. Besides, my mother told me that in Ghana, girls need to wake up early, clean the house and bring water from the well and only then they can go to school. That is really annoying. It is not fair that only girls should be responsible for house cleaning." Lizi's request for legal status was denied because she does not have a valid birth certificate. We are assisting her and her mother in appealing.

## IV. Refugees and Asylum Seekers



### A. Refugees in Israel

#### 1. Background

**Background:** In 2006, we noticed an increase in the number of detainees held in prison for extended periods of time. Many are asylum seekers, primarily from Africa. In cases where they are arrested before receiving temporary protection papers from the UNHCR, the Israeli government detains the asylum seekers. They are held in prison while waiting to be interviewed by the UNHCR staff- a period which can last many months. If the UNHCR believes their claims are justified, they are released and receive temporary protection until a decision is made regarding their right to receive refugee status in Israel. If their case is deemed to lack merit, they are deported.

Some asylum seekers are fleeing political persecution in the countries while others are forced to leave war torn countries. In 2006, we worked closely with citizens of Congo and the Ivory Coast who are unable to return to their home countries as a result of the violent conflicts there. A Liberian community has also been residing in Israel on the same grounds, however, due to a declaration by the UNHCR that the country is no longer dangerous, the Israeli government announced its intention to deport the Liberian community in 2007.

#### 2. Our Activities

**Personal Assistance:** During 2006, the Crisis Intervention Center provided paralegal representation to 41 nationals of the Ivory Coast and two people from Liberia. We successfully released about half of them. Volunteers also advocated on behalf of 96 Nigerians who claimed to be persecuted by the Nigerian government on account of their tribal affiliation. We secured the release of 18.

**Public Policy Activities:** We assisted the African Refugee Development Center (ARDC) in planning a protest opposite the Prime Minister's office. Held on June 5, 2006, it attracted 100 people and stimulated 10 media items. We also initiated 120 media items in the national and international media on refugees in general, with most focusing on the plight of Sudanese in Israel.

## **B. Sudanese Refugees in Israel**

### **1. Background and Personal Assistance**

**Background:** Between the years 2004-2006, 270 Sudanese refugees entered Israel through the Egyptian border. Nearly half of them were survivors of genocide from the Darfur region of Sudan while others were fleeing many years of civil war in south Sudan. Among them are minors and women with children.

The Fourth Geneva Convention of 1949 requires that states exempt refugees from the measures they might otherwise take against enemy nationals. This last provision of international humanitarian law was promoted by the young State of Israel, remembering that the UK had sheltered German Jews during World War II even though they were citizens of an enemy state. Despite this, Israel is acting in contradiction to the convention by denying Sudanese in Israel the right to even apply for asylum, with the claim that Sudan is considered an enemy country.

Initially, Sudanese were detained under the law of Entry to Israel, the same law which regulates migrant workers. In early 2006, when the numbers of Sudanese refugees entering Israel increased, the State began to hold them under an emergency law enacted in 1954, called the Prevention of Infiltration Law. Draconian in nature, it allows for unlimited detention, without judicial review, of a person who is either a national of one of the countries enumerated in the law or who has passed through one of those countries.

**Personal Assistance:** Hotline volunteers visited Sudanese refugees held at Maasiyahu prison twice a week. We also met with those detained at Ketziot prison, in the far south of the country, four times. Staff and volunteers provided personal assistance and representation to about 220 in detention by taking the testimony of 200, distributing 130 phone cards and requesting medical treatment for 15. Together with Adv. Anat Ben Dor from the Refugee Rights Clinic at Tel Aviv University, we succeeded in releasing 46 refugees detained under the Law of Entry into Israel to alternative custody in kibbutzim. We also submitted requests for the release of 74 refugees detained under the Prevention of Infiltration Law, however, only two had been released by the end of 2006. Seventy five volunteers were recruited to assist released refugees in fulfilling the complicated conditions of their release.

## 2. Legal Activism and Public Policy Activities

**Legal Activism:** In April 2006, the Hotline for Migrant Workers and the Refugee Rights Clinic at Tel Aviv University filed a High Court petition against the use of the Prevention of Infiltration Law in four cases. A hearing was held on May 8, 2006. The panel ordered the State to provide judicial review for Sudanese starting no later than 30 days after that date. These hearings began in August but only for those located at Maasiyahu. The majority, held at Ketziot, were not seen due to 'logistical problems.' At the end of November, we returned to court requesting a temporary injunction instructing the State to provide judicial review of all of the cases within 14 days. Consequently, the State announced that bi-weekly visits would be made to Ketziot beginning the 13th of December, 2006. To the best of our knowledge, this promise is being upheld.

**Events:** During 2006, the topic of Sudanese refugees took center stage at two events held by us. At our fundraising event in September, two lectures focused on the topic. A panel discussion featuring two refugees was held at our International Migrants Day event in December.

**Lobby and Coalition Building:** The Hotline for Migrant Workers, together with Eytan Schwartz, the winner of the Israeli reality TV show 'The Ambassador,' established The Committee for the Advancement of Refugees from Darfur (CARD). It consists of a diverse group of eight NGOs concerned about the issue and is chaired by esteemed Yad Vashem Holocaust researcher Prof. Yehuda Bauer. CARD has conducted the following activities:

- In November 2006, we met with MP Gilad Erdan (Likud) and MP Avishai Braverman (Labor) who agreed to form a lobby within



A detained Sudanese refugee and a child receiving medical aid

government to advocate for issue. They visited Ketziot prison in a fact finding mission in early 2007. This visit stimulated a significant improvement in detention conditions for many of the refugees who were previously being held in a large tent.

- Prof. Yehuda Bauer sent a letter to the two MPs referenced previously regarding proposed changes legislation which would adversely impact the ability of Sudanese to achieve refugee status in Israel. Erdan has stated his intention to make a speech to the Knesset regarding this legislation and will advocate for changes to it in order to safeguard the rights of survivors of genocide and other refugees. We are hoping he will help to recruit other MPs to this issue.

The Parliamentary Committee on migrant workers discussed the issue of Sudanese refugees during a meeting held on December 25. We brought two refugees from Darfur to the meeting to share their stories.

The committee members, among them Holocaust survivors, were very moved by their testimony. The head of the committee pledged to write a letter to the Prime Minister requesting legal status for all Sudanese refugees in Israel.

### **3. A Story**

**Taher's Story:** Taher was born in 1979 in Darfur. At the age of 22 he was arrested by Sudanese security officials who claimed that he assisted the rebels. Although Taher denied the accusations, he was brutally tortured during the week in which he was imprisoned. Released under highly restrictive conditions, he decided to flee to Egypt. In Egypt, Taher approached the UNHCR requesting refugee status which was subsequently granted. During this period he met his partner, Saida,

also Sudanese, and they gave birth to two young girls.

In December 2005, Taher and his friends participated in a demonstration held by refugees opposite the UNHCR building in Cairo. The police violently broke up the demonstration, and Taher was beaten badly by a policeman and placed in detention for a week. However, he was lucky; 27 of his fellow demonstrators were killed by the Egyptian police and many more were severely injured. Upon release from detention, he was unable to find a job or support his young family, and they decided to flee to Israel. After a long period of collecting the necessary funds, and with the financial assistance of a friend living abroad, they arranged for Bedouin to take them across the border. However the trip was risky as their older daughter was only five years old and Saida was still breastfeeding the baby. When they learned that a significant portion of the journey would be on foot, and they risked getting shot at by the Egyptian authorities, they made the difficult decision to leave their five year old with Saida's mother in Egypt with the hope of sending her money to support both of them.

Taher and Saida, together with another couple, crossed the border safely in June of 2006 and waited to be picked up by Israeli soldiers. The males were placed in detention, while Saida, the other woman, and their children, were sent to a privately-funded shelter in the north of Israel. Two months after his arrest, Taher's case was reviewed by the authorities, however, he was not released.

Meanwhile, HMW volunteers worked to find a solution for Taher and his family and



Living conditions for Chinese workers



A protest against detention and deportation of workers



Two Turkish workers

the other 13 families in Israel split between detention and a private shelter. In early 2007, a kibbutz in the north of Israel agreed to accept them and another family from Darfur. Volunteers met with the kibbutz and submitted an official request for release. In early March 2007 our request was granted and we transferred Taher and his family to their new home. After nine months of imprisonment, they are together again as a family.

Today, Taher works in the kibbutz kitchen and Saida is employed by the kibbutz factory. They are earning much needed money to send to Saida's mother and their daughter in Egypt. Although their future remains unclear, and they very much miss their daughter, due to the HMW's intervention, Taher and Saida can enjoy an almost normal family life and some limited freedom.

\* All names have been changed.

## C. Unaccompanied Foreign Minors

### 1. Background

**Background:** In the last few years, increasing numbers of unaccompanied minors have been entering Israel. We have assisted 135 from countries such as Guinea, Sudan, Somalia, Ethiopia, Ghana and Nigeria. In many cases, these youth are orphaned; in some cases they are fleeing war or abuse while others are seeking work in Israel. Some are victims of trafficking in persons: 25-30 minors from Guinea were brought to Israel by a Guinean national after being promised legal employment.

Although we regard unaccompanied minors as victims of human rights abuses, the state of Israel regards the youth as illegal immigrants. They are placed in detention facilities with the intention of deporting them. Many of our efforts in 2006 were aimed at halting their deportations as we do not believe that appropriate arrangements have been made with authorities in home countries prior to deportation. Although, in many cases, we succeeded in halting deportations, a long-term and comprehensive solution is lacking. Instead, many minors remain in detention for months on end without social support or hope. An uncertain future and boredom add to the already very heavy psychological burden they carry. Unaccompanied minors pose a challenge for many countries in the world. Like Israel, immigration considerations in the United States and Europe often outweigh international covenants regarding treatment of children. Minors in Israel and abroad are at high risk of trafficking, sexual exploitation and other forms of abuse. However, some countries are taking the lead in dealing constructively with the phenomenon. Some examples are below:

- Best practices mandate that minors should only be held in detention as a last resort, and when held, it should be for as short a period as possible. Countries such as Canada and Britain have legislation to this effect.
- Accepted international standards mandate that minors' cases must be handled by social welfare authorities and/or others specially trained in assisting youth. This is the case in countries such as Britain, Canada, Hungary, Belgium, Italy and Spain.
- When efforts to locate parents or guardians for the minors in host countries or the home countries fail, and a determination is made that it is in the best interests of the children to prevent deportation, countries such as Spain, Italy and the UK allow them to stay.
- In Hungary and Belgium minors are placed in special, open, facilities staffed by mental health workers, while their cases are being examined.

### 2. Overview of Activities

In 2006, approximately 80 minors were detained in Israel. We worked intensely with all of the detained minors and an additional 30 minors released to guardians. In addition to providing material assistance and psychological support to detained minors, we conducted the following activities:

- We released 10 minors to various frameworks including guardians within the migrants' community (2), Israeli families (4) and boarding schools (4).
- Fourteen participated in an art workshop in April.

- Five minors, along with local youth from Jaffa, participated in a wall painting course.
- National service volunteers arranged two movie evenings attended by 14 minors each.

In 2006, we encountered a new phenomenon where youth claiming to be minors were placed in the adult wing of detention. We either represented directly, or were a party, in court cases involving seven minors who the prison tribunal refused to release on the grounds that they were actually adults. The State has been justifying this decision on the use of a test designed to estimate age. We believe the particular test being used is highly unreliable and inappropriate for this population of minors and thus took the cases of two minors placed in adult wings to court. Five minors were subsequently released. In late 2006, the Ministry of Health decided to select a different method for determining age. In early January 2007, the Ministry of Interior pledged to discontinue use of the old test. We also requested that the State transfer handling of minors' cases to the social welfare authorities instead of the police.

### **3. A Story of a Guardian**

Nurit Wurgaft, a journalist with the Haartz daily newspaper, is the exceptional case of an Israeli who chose to become the guardian of a detained minor. This decision grew out of a strong personal and professional interest in marginalized communities. She has developed very close relationships with migrant communities in Israel and is an outspoken advocate for their needs. Thus, investigating and writing about unaccompanied minors in Israel was a natural extension to Wurgaft's previous activities.

In January of 2006 Wurgaft visited the minors' wing at Tzohar prison. After listening to the youths' heart-rending stories, she turned around to leave, shutting the door behind her. The act of exiting prison with the knowledge that these same youth remained behind bars, with no vision of their future or hope, deeply impacted her. Finding the idea of leaving young people in an endless state of limbo unconscionable, she decided to become a guardian.

Wurgaft preferred to take guardianship of an English speaker. This is how Umario- a then 17 year old from Guinea Bissau-entered her life. The experience was very challenging initially. Most of the problems, in Wurgaft's view, stem from cultural and economic gaps between Israel and western Africa. Western Africans are often reluctant to ask for assistance or clarification. For example, initially Umario did not help with household chores- not because he didn't want to- rather he either didn't know how to operate appliances, or didn't feel comfortable asking to help. Since then, they have formed a very close relationship, helping them to clarify misunderstandings.

One year later, Wurgaft feels this is one of the best decisions she has ever made. She is fortunate; her family is very supportive of her decision. They have welcomed Umario as a new member of the family and enjoy learning from and about him. His exceptional language

skills have helped him to integrate into life in Israel and benefited Wurgaft in some of her work. Currently, Umario is studying Hebrew in Jerusalem. Although his future is unclear, he is presently located in a safe and secure location, where he is being given the exceptional opportunity to grow and develop personally.

\*Wurgaft is currently seeking a university framework abroad for Umario as his chances of obtaining a student visa in Israel are very slim. For ideas, please contact her directly at: [nuritwu@gmail.com](mailto:nuritwu@gmail.com).

Photograph: Yohannan Wijler





## V. The Hotline for Migrant Workers

### A. Profile of a Volunteer: Joanne Crouch

Joanne, 25 years old, is from Manchester England. Her father is British and her mother is originally from Malaysia. She traveled quite a bit as a child and attended schools which emphasized community service. Her awareness of the world, a desire to travel and a wish to help other people has influenced her future professional goal of working in humanitarian aid and development.

Joanne has a B.A. in philosophy and politics. Following college, she spent six months in Guatemala volunteering with a community development project and living with ex-rebel communities. Upon her return to the UK, she volunteered part time with Amnesty International as a school and university speaker, a local fundraiser and assistant country coordinator for Columbia.

Next year Joanne will begin M. A. studies in Poverty, Conflict and Reconstruction. Before she begins school again, she wanted to visit the region to spend time with her Israeli boyfriend and re-enter the world of grassroots human rights work. Although Joanne considered volunteering with a few organizations, she explained her decision to contribute to the HMW as follows: "The Hotline seemed like an organization which makes constructive achievements."

She continued, "The idea of working with Sudanese refugees appealed to me because I campaigned on the issue in England with Amnesty. Also, I think it will help prepare me for my M.A. by providing me with knowledge and practical experience."

Joanne volunteered for three months, full time, developing a program to provide assistance to Sudanese refugees released from detention. She recruited volunteers and coordinated their activities on behalf of released refugees, served as a first address for problems faced by the refugees and their employers and organized enrichment activities for them. When Joanne began at the HMW, no such role existed. Creation of this job required good organizational skills and the development of a structured work program - not easy in an understaffed and under-funded organization. Not only did she create a framework for assistance, she became the person who the refugees called to help solve their problems.

Joanne said "I think what the HMW does is fantastic. The efforts we make are conducive to making changes and creating results. Although not all of our efforts will get the results we want, we are doing something to move things forward. Overall I am very impressed with the organization."



## **B. Board, Staff and Volunteers**

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- Adv. Adi Willinger, Field Coordinator- Trafficking in Women
- Ms. Sharon Stern, Administrative Manager

### **Volunteers:**

In 2006 over 150 volunteers worked with the HMW. They provided assistance to migrants, helping victims of sex trafficking, worked as translators and in various other professional capacities and organized special events. We are especially privileged to benefit from four national service volunteers: Idan Halili, Efrat Rotem, Yael Relevi and Shira Inbar.

## C. Financial Information

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 women in Israel. We aim to build a more just, equitable and democratic society in Israel where the human rights of all those residing within its borders are paramount civic and political values.

We see as vital eliminating exploitation of women and violence against them, the proper treatment of non-Jews amongst us and supporting the broad enforcement of laws, policies and procedures that promote equality and justice, as part of the humanistic and universal values that Judaism teaches and on which Israel was founded.

### To support our work:

#### In Israel:

Checks may be sent to The Hotline for Migrant Workers, 75 Nahalat Binyamin St., Tel Aviv, 65154. Amutah #58033309-4. You may also make donations 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 send 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.
- You may also make donations 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.

#### To Contact Us:

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- Stanley & Dorothy Winter Philanthropic Fund
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Photograph: Shay Ben Efraim

International Migrant's Day event annually organized by the HMW at the Tel-Aviv Cinematheque



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