

NOTICE TO ASYLUM SEEKERS IN LIGHT OF THE NEW LAW

The New Law for the Prevention of Infiltration came into effect on 17 December 2014. Several human rights organizations are petitioning the Supreme Court against this new amendment but our petition is still pending. A hearing was held on 3 February 2015, and we are still waiting for the court's ruling.

The New Law established new regulations relevant to asylum seekers. It also re-establishes the operation of the "open residence center" ("Holot") for persons who cannot be deported to their country of origin. "Holot" is serving as a residence center for men only and for **a maximum period of 20 months**. This includes the time already spent there under the previous Law but also the time spent in detention as a penalty for not having a valid visa or for failing to comply with the regulations in "Holot".

The New Law also states that persons whose 2(a)5 visas have expired for more than thirty days may be placed in detention in the existing detention facilities (Saharonim, Givon, etc), as detailed below:

1. Persons whose 2(a)5 visas have been expired for **30-60 days** may be detained for **60 days**, after which they may be transferred to "Holot".
2. Persons whose 2(a)5 visas have been expired for **60-120 days** may be detained for **75 days**, after which they may be transferred to "Holot".
3. Persons whose 2(a)5 visas have been expired for **more than 120 days** may be detained for **90 days**, after which they may be transferred to "Holot".

Due to the new law it is of critical importance that you renew your 2(a)5 visa in a timely manner!

Asylum seekers may renew their 2(a)5 visas at the PIBA (Population and Immigration Authority) offices:

- **Bnei Brak**, 68 Mivtza Kadash Sun-Thu 8:00-17:00
- **Beer Sheva**, 4 Ha'Tikvah, Sun, Tue, and Thu 16:00-18:30
- **Eilat**, 4 Hamutzar Wed. 12:00-18:30 and Thu 8:00-13:00

The criteria for issuing summons to "Holot" as announced by the PIBA on 17/12/14 are the following:

- Sudanese men who entered Israel before 31/12/11
- Eritrean men who entered Israel before 31/07/11 (including B1 holders)
- Men who were involved in criminal activity or finished serving their sentence after being convicted of a criminal offence can also be sent to "Holot".
- Family men will **not** be sent to "Holot".

The Law **exempts** from "Holot" Women, minors, men over 60 years of age, parents to a dependent minor in Israel, men who suffer from a serious medical or mental condition, and victims of Human Trafficking.

When renewing your visa, if the Border Control Officer is considering issuing a summons to "Holot", you will be given an invitation to a hearing and a visa valid until the date of the hearing.

When reporting to the hearing, please take all relevant documents with you, as listed below:

- a) If you are **married and/or have a minor children in Israel**, please go to the PIBA office **with your partner** and all relevant documents proving your claim, such as:
- Notification of live births from hospitals (original or certified copy with a color stamp/signature), with both names of the parents, as well as their order/passport numbers specified on the document.
 - Pregnancy test results; Birth certificates; Birth confirmations and/or Baptism certificate from Israel or from the country where your children were born.
 - Marriage certificate— either from your home country or local churches in Israel. If your certificate is in Tigrinya or Amharic, **make sure that it is also in English**.
 - Certificates from schools or recognized kindergartens with the parents' names and order/passport numbers, as well as the children's names.
 - Letters from welfare services/social workers/doctors/lawyers/land lords/employers or any other person who knows the family and can attest to it. Lease/bills/bank account slips or any other legal/financial document mentioning both partners' names and order/passport numbers.
 - If you previously registered the whole family with the UNHCR office, they can provide you with a confirmation of who is registered with this Office.
 - Family/wedding photos.

- b) If you **studied in the Israeli education system**, please provide the PIBA with a letter from your school/boarding-school stating your name, your order/passport number and the years during which you studied there. Please include any certificate you have. If your year of birth was not registered correctly, please provide the PIBA with any document or letter that supports your claim, such as a letter from your school and/or social worker.
- c) If you are **60 years old or over**, this should be mentioned on your visa. If a mistake was made, please provide the PIBA with supporting documents, such as an ID, a birth certificate or a passport from your home country.
- d) If you have a **serious medical or mental condition**, please provide the PIBA with all supporting documents as well as a letter from your doctor explaining your condition, the treatment that you receive or require, and the risks that you encounter if proper treatment is not provided. If you need help in preparing your medical file, you can contact PHR, 9 Dror st, Jaffa.
- e) If you have any **other exceptional circumstances**, please state them when you go to renew your visa and during the hearing and provide the PIBA with any supporting documents.
- Do note that Hebrew, English and Arabic are accepted languages in Israel and **documents in English or Arabic require no further translation.**

The Law establishes the **obligation to hold a hearing** before issuing a "Holot" summons. You are not required to provide all these documents; we are recommending that you bring whichever relevant documents you have. Please state all your claims during the hearing even if you don't have any supporting documents. If you do not meet the above mentioned criteria, such as the date of entry, please state so as well.

And if I did all this and still the PIBA gave me a summons/didn't cancel my summons?

Please come to the Hotline with all relevant documents during our opening hours as mentioned below.

Please note that, at this stage, The Hotline is able to help only in the following cases: (a) If you don't meet the abovementioned criteria and have documents to prove it, (b) If you entered Israel as an unaccompanied minor and studied in an Israeli boarding school (c) If you are a survivor of the Sinai torture camps, (e) If the doctor in "Holot" ordered your release, (f) In some other exceptional circumstances.

Taxation, salary payment and severance pay

The new law fixes a new taxation on both employers and asylum seekers. Please note that before this taxation can go into effect, special regulation must be determined by the minister of Finance, which might take several months. If your employer already started deducting the new taxation from your salary, if you need to obtain payment from your employer or if you were fired because of the summons, please contact "Kav Laoved" as soon as possible: 75 Nahalat Binyamin, Tel Aviv, 4th floor.

So if I meet the criteria and the Hotline cannot help me to cancel the summons, what should I do?

In cases where the Hotline is unable to help and prevent/cancel the summons, it is important to note that you have the right to appeal the decision to the Tribunal of appeals. You also have the possibility to be assisted by a lawyer if you are able to afford one. If you cannot return to your home country because you fear you will face harm there, you have the right to apply for refugee status in Israel. If you have not been able to do this so far, please do it now. If you don't file your asylum application as soon as you had the opportunity to so, you might not be allowed to do so later. Applying for refugee status will not have an immediate effect on the summons to "Holot" or the possibility to cancel it, however it can have other benefits. You can apply for refugee status with the help of the ARDC (units 4919-23, New Central Bus Station, 4th floor), and in some community centers.

And what if my visa was lost or stolen?

You will need to pay a fine of 270 NIS at the postal bank. To file the application and receive the required documents, Please contact the PIBA offices.

22 July 2015

Hotline for Refugees and Migrants

Sun 9:00-11:45 and 15:00-18:00; Wed 14:00-18:00; Tue and Thu 9:00-13:00