



Hotline for Refugees and Migrants 2017 Annual Report

Overview

During 2017 significant achievements were made towards the rights of asylum seekers, and in particular, those from Darfur. Following the announcement in October 2016 that the MoI (Ministry of Interior) would no longer call Darfuris to Holot we began requesting the release of Darfuris who were already in Holot. We succeeded to release 89 Darfuris from Holot, and assisted many more to have their summons cancelled after they continued to receive summonses to Holot. This was followed by the announcement in June 2017 that the government will award residency status to 200 Darfuris. Although not a single Darfuri asylum seeker has been granted refugee status since our one client received his in June 2016, the fact that none of them have been rejected either, coupled with these two changes, remains a positive sign that the Darfuris may be on their way to refugee status. Indeed the headline of an article published by mainstream news site Ynet on May 13 2017 was "Darfurians on their way to refugee status".¹ In November 2017 the state again announced that they would award residency status to another 300 Darfuris. However as of the end of the year this had not been formalized.

Despite these positive signs, the long term pending decision from the Supreme Court on third country deportations loomed in the background of everything relating to refugees in Israel for most of 2017. In January the state admitted during a Knesset Committee discussion that they were stalling on answering asylum applications until this judgement, in the hope that the refugees will be deported and they will never have to actually provide any answers. In August we finally received the judgment. Although the judgment was in our favour, by the end of the year, the backlash proved to be far more harmful. More about the important judgment below.

3,375 asylum seekers left Israel during 2017, making the current number as of the end of the year, 37,288² (not including children born in Israel). However, according to data we received in a Freedom of Information request, we know that of those who left in the first half of the year, the vast majority went to Canada, America and European countries and not to the far more dangerous options of Uganda or Rwanda.

¹ Darfurians on their way to refugee status, Ynet, May 13 2017 <http://www.ynetnews.com/articles/0,7340,L-4961323,00.html>

² Ministry of Interior data, correct as of December 21, 2017, see https://www.gov.il/BlobFolder/generalpage/foreign_workers_stats/he/foreigners_in_Israel_data_2017_2.pdf

2017 ACHIEVEMENTS



1,672

Refugees & migrants provided with para-legal assistance



126

refugees and migrants released from detention



64

visits to immigration detention centers



62

cases litigated in court



7

research reports and publications



2,600

participants in educational tours & lectures



204

items in the media

Legal Department

In 2017 HRM's legal department conducted 62 legal interventions at all levels of court. There was a diverse range of cases with strategic importance, including cases on behalf of stateless clients, Somali asylum seekers, a Mauritanian asylum seeker, and many cases on behalf of Eritreans and Sudanese. Cases related to the Refugee Status Determination system (hereafter RSD), to bureaucratic issues, to family rights and other principle issues. Five of the cases were in the Supreme Court. This year we have been more focused on strategic cases with wider ranging impact for our target population. Here is a sample of some of the most significant cases with the widest ranging impact on our clients and the overall policy relating to refugees and migrants:

Saharonim or Rwanda decision

On August 28th 2017 we received the Supreme Court judgment on the Saharonim or Rwanda case. The court technically ruled in our favor, meaning that the state will not be able to hold someone in detention indefinitely for refusing to 'voluntarily' go to an un-named third country. Unfortunately, the court stopped short of saying that these third country deportations are illegal, only that they cannot be considered 'voluntary' under the threat of indefinite detention.

Immediately after the court decision there was a backlash from politicians. Prime Minister Netanyahu, Justice Minister Ayelet Shaked and Minister of Interior Aryeh Dery all vowed to pass new legislation to override the court decision. The decision was covered widely in the media, with the term 'infiltrators' overused and the problem being framed as a conflict between South Tel Aviv Israelis versus refugees. This was only heightened when Netanyahu toured South Tel Aviv and declared that he would 'return South Tel Aviv to the Israeli residents', exasperating a false dichotomy that the human rights of refugees must come at the expense of South Tel Aviv. In the week following the decision Hotline staff and representatives of the asylum seeker community participated in dozens of media appearances – including TV, radio and newspaper interviews, however our resources are limited in the face of the government and the Prime Minister inciting against us.



In November 2017 the government announced that they had amended the agreements with the third country, now openly being named as Rwanda, which would allow them to conduct forcible deportations. Then, at the beginning of December, the MoI announced that they would close the Holot detention centre within 3 months (originally established to cause people to 'voluntarily' leave) and instead begin deportations. Anyone who refuses to comply will be held indefinitely in Saharonim (a proper 'closed' detention centre, unlike Holot which is referred to as an 'open' centre). A main objective of HRM over the last four years has been the closure of the Holot detention centre. This announcement on its own would have been considered a great achievement. Unfortunately, coupled with the announcement of forced deportations, the situation appears worsened. The following day reporter Barak Ravid broke the news on Channel 10 television that in addition to whatever is in the content of the secret agreements with the third countries, Israel will also pay \$5,000 dollars per head to Rwanda for every person deported there. This fact gained a lot of media coverage and exposed the obscene absence of value for human life that is at the heart of this deportation plan.

On January 1 2018 the Ministry of Interior announced that at the start of February, asylum seekers would begin receiving notices that they have 60 days to leave the country or enter jail. Furthermore, that anyone who submits an asylum application from January 1 will not be protected from deportation. This is despite the asylum system being completely inaccessible for over a year now. On January 2 the Ministry of Public Security received a mass transfer of funds to carry out the plan. The Immigration Authority issued a detailed procedure, detailing that women and children would be exempt – but only for now. As 2017 came to a close, the horrifically frightening scenario of a mass deportation of Israel's asylum seekers seemed not only real, but 90 days away.

200 Darfuris receive 'Humanitarian Status'

On June 8 we had a breakthrough when the MoI announced that they will be awarding 'humanitarian status' to 200 Darfuris. It is a result of years of advocacy work and recent legal cases, including our threat to submit a 'contempt of court' case against the MoI for failure to comply with the commitment they made to the court in February 2015 to provide answers to asylum applications within one year. The decision was on the front page of Ha'aretz and also in other media outlets. On one hand it is an exciting breakthrough after many years of no movement on the issues of RSD and legal status. On the other hand, it is an arbitrary decision and an arbitrary number. It is 'residency status' on humanitarian grounds rather than refugee status and therefore does not actually require the operation of a proper and just asylum system. However, this comes directly from a meeting between the Prime Minister, the Minister of Interior and the Attorney General. It is a positive sign and a show that the government is feeling the pressure of our advocacy, lobbying and legal work.

Legal case on detaining Sinai torture victims in Holot

In January 2017 we submitted our long anticipated case regarding the detention of torture victims to the High Court of Justice. The case is also on behalf of partner organisations ASSAF and Physicians for Human Rights. The case argues that all victims of the Sinai torture camps should not be re-incarcerated in the Holot detention centre due to the disproportional trauma that being detained inflicts on them. The implication of such a decision would mean that it is the state's responsibility to do screening and identify survivors of the Sinai torture camps and ensure that they are not sent to Holot. The case was a huge piece of legal work,

drawing on sources such as international law (including treaties and soft law instruments), domestic and international jurisprudence, reports of NGOs, academic literature, psychiatric evaluations and opinions, and others. It included over 40 annexes, such as correspondence, documents in individual cases, freedom of information requests and responses, and parliamentary discussions. It was an accumulation of years of HRM's work with, and on behalf of, the victims of the Sinai torture camps.

The hearing took place on September 13 in front of a 3 judge panel. The state claimed that the law and the regulations do not allow the Immigration Authority to exempt torture survivors from detention in Holot. The state also claimed that a psychiatrist was appointed to review the medical records of those diagnosed as suffering from PTSD and that the officers will undergo special training to identify vulnerable people and trafficking survivors. The state added that it is about to start implementing a pilot program to identify and provide rehabilitative services for torture survivors.

Our attorney, Maayan Niezna argued that the progress made by the state is insufficient while hundreds of torture survivors are detained and suffer in Holot and many others live in fear that they might be sent there. She argued that the state ignores the international medical consensus according to which torture survivors should not be detained since it harms their well-being and prospects for rehabilitation. Furthermore, torture survivors cannot afford expensive medical opinions and that the state has the authority and can exempt them from detention in Holot, as they have done exactly that with asylum seekers from Darfur.

During the hearing the judges demanded answers to several of our questions. Justice Danziger asked: "Should we expect these people to invest large amounts of money in obtaining medical opinion while we are aware of their situation? Would it be better if the state will be satisfied with declarations [of the torture survivors] and initial documentation?" Justice Hendel stated: "... there is a need to understand that all these people underwent certain suffering. Those who are torture survivors, this is a special kind of suffering that we must take into account." At the end of the hearing, the judges stated that the government has to submit an update detailing the steps taken to improve the situation of torture survivors by November 2017.

At the hearing in November the state was fixated on the deportation plans and claimed that Holot would be closing, and that people would be deported and the case would be irrelevant. We continued to press for the case to continue, as we were unsure if the state's true intention was to close Holot.

This legal case, although mostly focused on Holot, had a big impact on HRM's advocacy work to protect Sinai torture victims. At the same time as the court case was going on we continued lobbying for the state to provide rehabilitative services. We heard that the issue was progressing, largely because of the pressure of the court case. This was confirmed for us in court when the state said that they would be starting a pilot program to identify torture victims and provide rehabilitative treatment – exactly as we had been lobbying for.

The Eritrea 'Opinion'

At the end of June, we discovered that the Israel Immigration Authority decided to contract an organisation called the '*Center for Israeli Immigration Policy*' to conduct research and analysis about Eritrea for the price of 49,000 NIS. Furthermore, the Authority decided to waive the request for a tender or any other competitive procedure based on the center's 'expertise' and 'in depth knowledge' about the 'policy of non-



removal of Eritrean asylum seekers'. However, the organisation has a very clear political agenda - deport all African asylum seekers from Israel, especially those from Eritrea. The purchased opinion was likely to be used as grounds for a policy change to end the non-removal status of Eritrean asylum seekers. We facilitated an article that ran on the front page of Ha'aretz exposing the corrupt issuing of the government contract and the clear agenda of the so-called research. In written correspondence to the Ministry of Interior we requested that the tender waiver be removed and that the contract be cancelled. We warned that if it's not cancelled we will take them to court over it.

In early July we received a response informing us that they are not cancelling the contract. We then submitted the legal petition to the District Court and received a preliminary injunction that required them to put the contract on hold. At the court hearing the judge explained to the Immigration Authority that their act was contrary to the tender laws, and that they should carefully consider whether they want to continue with this contract. On August 24, the Immigration Authority informed the court that they are cancelling the contract. Winning this case was a very nice achievement, both because it was against an organization specifically established to incite against refugees and because it exposed government corruption.

Conditions in Holot

On April 4 2017 there was a joint hearing in the High Court for 5 different legal cases brought by the Hotline and partners (ACRI and the TAU Refugee Rights Clinic) regarding detention conditions in Holot. The five cases were about 1) what belongings detainees can bring with them into Holot 2) conditions in the Ministry of Interior office in Holot and the process of requesting vacation days from the facility, 3) providing internet connectivity 4) education and vocational training 5) overcrowding in the rooms.

In May a second hearing was held. Two of the petitions achieved significant changes. On the issue of overcrowding in the rooms the state was given 9 months to reduce the number of people per room from 10 to 6. It also means that less people can be detained at the same time. The second one was about what items detainees can bring into Holot. The judge said that the state had to change the list from being a list of items that are not allowed, to a list of items that are allowed. The judge also asked to amend the list of banned items to only include those that could pose a danger, and to remove items such as hygiene products from the list. In regards to internet connectivity the state had said that they would check if they had the budget for it. At the second hearing they said that they would set up 3 classrooms of computers. The state also claimed that the conditions at the MoI office in Holot had since improved. This answer was accepted by the court.

Crisis Intervention Centre

During 2017 our Crisis Intervention Centre assisted 1,672 refugees and migrants - during reception hours, over the phone and during 64 visits to detention. This was made up of 1,593 refugees and 79 migrants. It included 172 women and 1,500 men. The significant imbalance in men and women is due to our concentration on detention, and the fact that there are no asylum-seeking women in or being threatened with detention. We succeeded to release 126 individuals from detention! The majority of them, 89, were

Darfuris released from Holot.

Client Story: Mahari Ariei Twelde

Mahari Ariei Twelde arrived in Israel in 2009 after escaping the Sinai torture camps. In Sinai he was repeatedly tortured and forced to dig graves for those who didn't survive the torture, until his family managed to gather \$3,800 to pay for his release. When he entered Israel he was taken to Saharonim prison. However, whilst other people came and went Mahari was kept there. Israeli authorities decided that Mahari was not Eritrean, that he was Ethiopian, making him eligible for deportation. But because Mahari was not recognised as Ethiopian by the Ethiopian consul in Israel he was considered 'uncooperative' and kept in detention.



Mahari (right) with our Tigrinya translator Ghebrehwit Tekle

In November 2011, Mahari's friends paid 6,500 shekels for a lawyer who managed to release him but failed to follow the release conditions, resulting in Mahari's re-arrest in April 2014. There he remained until August 2017. Our case workers and translators visited Mahari more than 25 times in detention. We took testimony about what happened in Sinai and tried to gain his release as a victim of trafficking, but this was not successful. We wanted to get documents from Eritrea to prove he is Eritrean, but he has no family at all and this proved impossible. After we tried everything we could think of Mahari even agreed to leave to Ethiopia, despite fears that he might be sent from there to Eritrea. But the Ethiopian embassy in Israel refused to give him identity documents because, unsurprisingly, he is not Ethiopian.

In late 2016 an opportunity arose for us to apply for Mahari to be considered for resettlement through the UNHCR. After almost 7 years of being detained in Israel for being Ethiopian, Mahari was resettled as an Eritrean refugee in Sweden.

In 2016 we published our report [Forgotten in Prison](#), addressing exactly this issue – long term detention. It was based on data regarding 33 cases of people who had been detained for over two years, including Mahari and many others in the same instance of 'contested nationality'. Our report, which was sent to Members of Knesset, judges, diplomats and ministerial decision makers, recommends that anyone held in detention for longer than 6 months should be appointed Legal Aid and anyone detained for over one year should have their case reviewed by the District Court at least every six months.

After showing the authorities that Mahari had a plane ticket to leave the country we were finally able to release him for his final weeks in Israel. When he came to visit our office after being released he could not say thank you enough to the staff who he had met in detention. Even in the periods where we were not sure if we could help him, he appreciated our visits. He told Alex Roth, his case worker, that she was like a mother to him the way she looked after him, that for the rest of his life he will never ever forget her.

Identification and recognition of victims of human trafficking

Throughout 2017 we continued to identify victims of human trafficking and advocate for their recognition by the Israeli authorities in order to gain legal protection and rehabilitative rights and services. During the



year we gained status and recognition for 36 people – 21 men and 15 women, a significant increase on the previous years. Another 7 cases were rejected and we are waiting on answers for another 15 cases. We have dozens more cases in which we are waiting to acquire further documentation before presenting their cases to the authorities.

Of the 36 recognized, 33 are survivors of the Sinai torture camps who we were able to prove met the legal definition of victims of trafficking and gain an improved (although temporary) status, and rights for them through this framework. For the men who were recognized, it meant exemption from a year of detention in Holot, a hugely important accomplishment for them. There was also an increased number of women referred to us from other organizations. This most likely represents the horrific impact of the Deposit Law that was introduced in May 2017, in which asylum seekers are stripped of 20% of their salaries. For many women, especially single mothers, this was a major descent into poverty, with some women resorting to prostitution to avoid homelessness. However, for those 15 that we successfully had recognized, they had the right (if they chose to) to go and live in a residential shelter for victims of trafficking for one year, where they could also take their children, where they still had the right to work and also have health and welfare support services.

Three people who we succeeded to have recognized were victims of trafficking in other forms. Two of them were Turkish construction workers whose workplace conditions constituted forced labor. The Turkish construction company that they work for has a special agreement with the Israeli government and are able to bring Turkish workers outside of Israel's existing framework for bringing migrant workers to Israel. For years we have contested this special arrangement due to the fact that workers under the agreement are particularly vulnerable to exploitation. We continue to hear of stories of forced labor, unpaid wages and threats against workers if they dare to speak out. In 2017 we were able to assist these two individuals and build up evidence regarding the exploitative conditions established as a result of this company's special status.

The final trafficking victim who we gained recognition for was a young man from Burundi. The young man fled persecution in Burundi and was in a refugee camp in Kenya from where he was kidnapped and trafficked across multiple countries. Eventually, he ended up in Jordan, where he was forced to work in a bakery. He was never paid for his work, he was not allowed out and was forced to sleep at the bakery at night. After several months there, one day his boss/captor, took him in his car, without telling him where he was going. Although he never saw it himself, he believes his boss showed the immigration officers a fake passport when they passed the border into Eilat. Once in Eilat he escaped and hid. Eventually he spoke to people and someone told him that he should go to Tel Aviv, and bought him a bus ticket. Once in Tel Aviv he asked around for help and was eventually sent to the Hotline. We presented his case to the authorities and he was recognized as a victim of trafficking. Despite some very harsh life experiences, this young man is extremely resilient. After a few weeks in Israel he was teaching himself to read and write Hebrew and soon found employment. He has aspirations to go to university and was extremely happy with the help we were able to provide him.

RSD Clinic

In August 2017 we established an RSD clinic with the objective of assisting asylum seekers to submit asylum applications. Despite having been in Israel for years, many Sudanese and Eritreans have not submitted asylum applications, for a wide range of reasons. One of the main reasons is that when they first entered

the country they were told they were not allowed to apply for asylum because of their 'group protection' (which in reality only entitled them to not be forcibly deported to their country of origin). In 2012, due to our action in the court, the state was forced to begin accepting asylum applications from Sudanese and Eritreans. However, there was no attempt to publicly inform the community. Furthermore, as the community saw that almost no one was actually receiving refugee status, they saw no point, and many feared that a rejected asylum application would be worse than not having submitted one at all. However UNHCR and the NGOs have continued to emphasize the importance of submitting asylum applications, particularly as the relatively small number applications submitted is a main argument used by politicians, and even the court, to claim that these people are not actually asylum seekers.

Asylum seekers need assistance to write their asylum applications, as they must be submitted in either Hebrew or English. Furthermore, they should be written to emphasize the parts of their background that are consistent with the definition of a refugee according to the Refugee Convention. We therefore set up an RSD clinic – a 4hour session per week, for which asylum seekers can register to come and get assistance to fill in their asylum application. We recruited a pool of volunteers and ran a training course on the Refugee Convention, the Israeli RSD system and how to work with asylum seekers who are sharing stories of trauma. During the weekly RSD clinic we also have a lawyer present to advise the volunteers and answer questions. As of the end of 2017 we had assisted 49 individuals to complete their asylum applications and had more training sessions for volunteers planned. As we are already conducting litigation and advocacy work on the subject of RSD, the RSD clinic allows us to gather information and be better connected to what is happening in the field regarding RSD.

Public Policy Department

Media, Advocacy & Education

During the year we facilitated 204 media items in the Israeli and international media. We continued to have very sympathetic coverage in the left-wing Ha'aretz newspaper, but also found that the mainstream daily Yediot Ahronot had increasingly favorable coverage. Two important hearings were held in the Knesset State Comptroller Committee in

January and June relating to the RSD system and the state's failure to provide answers to asylum applications. We had staff speak at both of them as well as two asylum seekers at each, one Eritrean and one Sudanese. The State Comptroller is expected to publish a report about the RSD system in early 2018. Executive Director Reut Michaeli attended 4 Knesset Committee hearings of the Labor and Welfare Committee to oppose the changes to the National Service Law (see below). Director of Combating Trafficking Emi Saar attended 4 hearings relating to immigration, prostitution and trafficking. We conducted 51 education tours and lectures to over 2,600 participants in groups from Israel and abroad.

Asylum seekers Afwerki Teame from Eritrea & Anwar Suliman from Sudan, speak at a Knesset Committee Hearing, November 1, 2017.



Trafficking of Ukrainians and Georgians to Israel

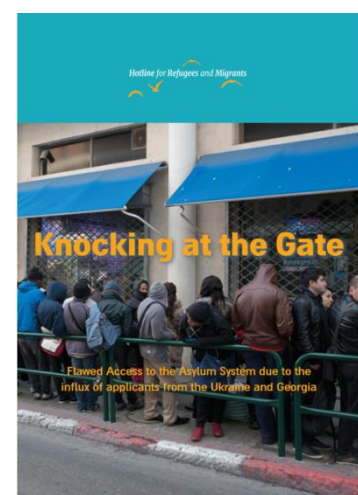
In October we published a short report on the new trafficking pattern of Georgian and Ukrainian nationals entitled *Through Hidden Corridors New Trends in Human Trafficking which exploit the asylum system in Israel*. We began the research after the suspiciously sharp rise in the number of Ukrainians and Georgians applying for asylum in Israel in 2016. The report is an eye-opening insight into a disturbing situation that starts with vulnerable people in Eastern Europe, who believe they are coming to Israel legally to work, and ends with them being deported from Israel. This migratory phenomena is not only a problem for human trafficking, but is also damaging access to the asylum system for those who really need it.



The report draws on 25 interviews we conducted with Ukrainians and Georgians, the majority of whom we found in immigration detention, about how they got to Israel and what they were told by their handlers. It also draws on Freedom of Information requests, affidavits, testimonies and various data sources. We have brought the situation to the attention of the media, who reported on the situation numerous times throughout the year³, especially after we escorted MK Michal Rozin to the RSD unit at Salame St. in South Tel Aviv (where they apply for asylum) and were accompanied by a TV news crew. We also brought the issue to the agenda of the inter-ministerial Anti-Trafficking unit, and have provided further material to the Israeli police. The report will serve as an important advocacy tool going forward. It includes a list of recommendations for the police and the government to prevent this form of trafficking. The main recommendation is for the Ministry of Foreign Affairs to cancel the visa-waiver for the Ukraine and Georgia which could stop the problem at the source.

Access to the RSD unit

In December we published a follow up report to *Through Hidden Corridors* about how the presence of the Ukrainians and Georgians is impacting Israel's RSD system. The report details how the Ukrainians and Georgians submit asylum applications when they arrive in Israel, in order to gain a temporary work visa. This is a complete exploitation of an already broken asylum system. We used the report in many media and advocacy meetings, however by the end of the year we saw no improvement in the functioning of the RSD system, and particularly in the outrageously long queues outside the RSD unit in South Tel Aviv – the only place in the whole country where it is possible to submit an asylum application. By the end of the year we were planning a legal case against the Ministry of Interior regarding the long lines at the RSD unit as a violation of the right to seek asylum.



³ See article in Times of Israel entitled 'Think most asylum seekers in Israel are African? Try Ukrainian' 7/11/2017 <https://www.timesofisrael.com/think-most-asylum-seekers-in-israel-are-african-try-ukrainian/>

The 'hidden' opinion on Darfur

On January 3rd Yediot Ahronot newspaper [ran an article on their front page](#) about Darfuri asylum seekers after they were leaked an internal report from the RSD unit saying that the Darfuris should be awarded refugee status. The report was more than two years old and had been buried internally. Meanwhile not a single Darfuri (with the exception of our one client in 2016) received answers on their asylum applications. The article read as follows,

*"The report advised that any Darfur refugee who does not belong to the Arab tribes is automatically entitled to political asylum in Israel. The opinion clearly has far-reaching consequences for asylum seekers. But although it was written two years ago, throughout this entire period the PIBA has been implementing the government's orders and doing everything in its power to make Darfur refugees leave Israel. Moreover, in these past two years, PIBA officials have been telling the courts that "a policy has yet to be determined" regarding the Darfur residents."*⁴



Report ignored by state could grant Darfur refugees legal status in Israel

A legal opinion issued two years ago stating that any former Darfur resident from a non-Arab tribe is automatically entitled to political asylum in Israel has allegedly been concealed from the courts by the Population and Immigration Authority. Now that the recommendation has been revealed, it can be used by thousands of Darfur refugees to try to gain legal recognition.

Yehuda Shohat | Published: 03.01.17 , 23:44

Recommend 155

Three weeks later at the Knesset Committee hearing on the issue of RSD the Population and Immigration authority representatives claimed that the report was an internal document and is only a recommendation which they were not obliged to follow.

Advocacy for the rights of Sinai Torture Camp Survivors

In January we held a one-day conference together with partner organisations ASSAF and PHR for government officials and NGO professionals on the issue of rehabilitation for torture victims. The conference was held in the Begin centre in Jerusalem, and attracted a wide array of important decision makers, including from a range of positions on the political spectrum. There finally appeared to be a sense of responsibility coming from certain government departments around the state's obligation to provide protection and support for Sinai torture victims. This is the result of many years of advocacy work about the Sinai torture camps, including the report issued by the UN Committee on the Convention Against Torture following their country visit to Israel in 2016 (which we heavily contributed to) and another significant piece of correspondence we had with the Ministry of Justice. We proposed a pilot program where the government identifies torture victims and grants them certain rights and protection according to their needs. The proposal is based on the current procedure in place for the identification of trafficking victims.⁵ At meetings on later dates the state then said that they were working on a similar type pilot. At our hearing in September in the case against calling torture victims to detention in Holot the state said publicly that they are working on a pilot program for identifying torture victims and providing rehabilitative services. We continue to push for progress on this front, both in the courts and by lobbying.

⁴ Report Ignored by State Could Grant Darfuris Refugee Status in Israel, 3/1/2017

<http://www.ynetnews.com/articles/0,7340,L-4902465,00.html>

⁵ Haaretz article covering the conference: <https://www.haaretz.co.il/news/education/.premium-1.3221794>

Detention Monitoring Report

In March we published our [Annual Detention Monitoring Report for 2016](#) covering the conditions in Holot, Saharonim and Givon.⁶ It was based on 110 interviews conducted throughout 2016 and included subjects such as medical services, access to RSD, and translation services. The report garnered 4 media items, including an article in the Jerusalem post.⁷ Our detention monitoring work continued throughout 2017 and we completed 73 surveys by the end of the year.

TIP Report

In January we submitted our shadow report on Trafficking in Person to the US State Department, as we do every year. The report addressed a number of different forms of trafficking, including those not related to the Sinai torture camps. However, one of the main issues we address is that the narrow definition of trafficking does not allow for many Sinai torture victims to be granted the protection and support that is extended to recognised trafficking victims. When the US State Department TIP report was issued in June 2017 it was obvious that our information had helped shape the report as there were many references to the information that we submitted. We also published our own TIP report in Hebrew in June to inform the Israeli authorities of our findings.

Challenges

National Service Law

A lot of time in the first half of the year was spent combating legislation harmful to NGOs, in particular, a proposed amendment to the National Service law. We have four full time positions for National Service Volunteers who work with us as an alternative to serving in the army. They do core work of the organisation and we rely heavily on them as with any employee. The government proposed a change to the law which would only allow National Service volunteers to be placed in organisations that work with Israeli residents only. This would therefore exclude organisations that work with Palestinians and refugees and migrants from receiving national service volunteers. This would have had a drastic affect on us as we rely heavily on our National Service Volunteers. Executive Director Reut Michaeli, attended a number of Knesset committee meetings on the issue and provided a written statement opposing the changes. It now appears that the law is being significantly amended because of other issues and will be up for discussion again at a later date. However, this was and is a very real and harmful threat to us as an organisation.

The Deposit Law – חוק הפיקדון

On May 1st, the long anticipated 'Deposit Law' came into force. Employers have to deduct 20% from the salary of all refugees whom they employ and deposit it into a fund which can only be accessed by the worker upon leaving the country. In addition to the 20%, employers also have to put an additional 16% that they will pay, into this fund, making it very expensive to employ asylum seekers. Asylum seekers already

⁶ 2016 Detention Monitoring Report is available in Hebrew and English <http://hotline.org.il/en/publication/4145/>.

⁷ Jerusalem Post, March 22 2017 <http://www.jpost.com/Israel-News/NGO-3000-asylum-seekers-denied-basic-services-as-pressure-to-leave-484824> .



receive no welfare benefits whatsoever, not even health insurance, and the new policy will apply to everyone: families, single mothers, and people with disabilities. The law pushes workers below minimum wage and drives refugees into entrenched poverty. It has led to children being taken out of proper day-care and after-school programs and to families living in dilapidated housing. It is most likely also leading to increased prostitution and homelessness.

Together with Kav La'oved, who are leading the case, we submitted a case to the High Court against this law and also requested a temporary injunction until the case is heard. In April, to our great disappointment, the court decided not to grant the injunction, allowing the law to come into force. We then turned towards doing more media and advocacy work. The refugee community, the human rights organisations and the associations of the restaurant and hotel industries (that are the major employers of asylum seekers) began working together. Over 5,000 people (mostly refugees) attended a protest, and many restaurant owners, refugees and staff from the refugee organisations participated in media and TV interviews. However this did not have any immediate impact. The restaurant owners association therefore joined as petitioners to the legal case.

The first hearing was held on July 26th. Following this we received an 'order nisi' – the court agreed that there is a violation of human rights, and the burden of proof moved from the petitioners to the state to prove that the measures taken are justified. The next hearing was set for December. In December we were disappointed that the court gave the state another six months to see how or if the situation changes. In the meantime, the people who are suffering the most from the Deposit Law are single mothers, many of whom are now relying on handouts of food and diapers as their salaries are simply not enough to survive on.