



Hotline for Refugees and Migrants 2018 Annual Report

Executive Summary

The danger of deportation was a major theme throughout every aspect of the Hotline's work in 2018. The year began with the terrifying announcement of forced mass deportation of Israel's 40,000 Sudanese and Eritrean asylum seekers to third countries in Africa. The Hotline's work on all fronts – public advocacy, litigation in court, and individual casework for those facing deportation – played a major role in the government's dramatic reversal on the deportation plan and subsequent release of all 270 detainees in April. The public outcry against forced deportation was unprecedented and emotionally charged, and brought forward a new level of public awareness about the refugee community in Israel. A few short months after the fear of forced deportation for Eritreans and Sudanese subsided, another deportation was announced. On October 7, the government released a statement saying that they would end group protection for Congolese citizens in Israel in 90 days. Once again, the Hotline reacted quickly and firmly and submitted a legal case against the deportation. As of the end of 2018 we have an interim injunction halting another dangerous deportation.

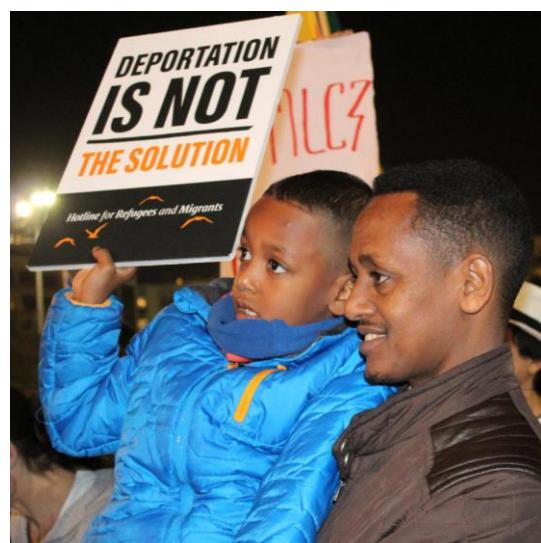
Whilst these deportations were the major events of 2018, we continued to advance the rights of refugees and migrants more broadly throughout the year via public policy work, individual casework, and strategic litigation. This report is divided into five sections; **sections one and two** contain an in-depth look at our work during each of the **deportation emergencies**, **section three** details our work in the **public advocacy** arena, **section four** our **paralegal casework**, and **section five** the work of our **legal department**.

1. Stopping the deportation of Sudanese and Eritreans to third countries

From the start of the government's deportation announcement, there was great fear and confusion amongst the asylum seeker community. Recognizing this need, we decided to hold information sessions so the community could understand and make informed decisions.

Between November 2017 to January 2018, we conducted 11 information meetings with the asylum seeker community in a variety of locations across Israel including: Tel Aviv, Jerusalem, Haifa, Ashkelon, Arad, Lod, Beer Sheva and Eilat. The asylum seeking community appreciated hearing from lawyers and other experts during this crisis period.

At the start of February, when deportation orders began to be issued, we had incredibly long lines in our office during reception hours, and sadly had to turn many people away, prioritizing only those who had pre-deportation hearings in the coming days. Our Crisis Intervention Center conducted intensive casework to protect individuals and particularly vulnerable groups from deportation. We assisted individuals



by preparing written case files for pre-deportation hearings, often including medical records and other legal or humanitarian arguments for why the individual should not be deported. Between February 1st and April 24th we wrote 107 letters requesting delay or cancellation of deportation orders. Out of these 107, more than half, 60 people, were granted what would have been a life-saving exemption.

While working with the asylum seeking community directly, we conducted advocacy, lobby, and media work. Between January to April, we initiated 219 media items, including on Israeli primetime, in the New York Times, the Guardian, and the BBC. We reached out both to the Israeli public and the international Jewish and human rights community providing information about the tragedy unfolding. We began campaign work as the Israeli public grew enthusiastic about the issue. We played a key role in two major protests in Tel Aviv, the first on February 24th, attended by 20,000 people, and a second one a month later, attended by 25,000 people. During this time, the government began backtracking on their plans. At the beginning of January, the Prime Minister claimed that his intention was to remove all 40,000 'infiltrators' from Israel. By February, the Head of the Immigration Authority said that they would not deport women and children. Shortly after, they confirmed that they would not break up families, and after that they quietly stated that they would not deport anyone from Darfur. Protests in Israel and around the world also targeted Rwanda not to accept refugees deported from Israel. Rwandan officials began publicly denying that they had any agreement to accept refugees from Israel.

Alongside public activism, two legal cases submitted by private lawyers to the High Court were received with surprisingly supportive responses from the judges. As a result, the court asked the government to present the updated agreements with Rwanda. It became evident that there were no such agreements in place, even as the state continued to issue hundreds of deportation orders and detain people indefinitely for not



25,000 people call on the government to stop the deportation at a protest in Rabin Square, March 24th 2018

complying. As the state's plan began to fall apart, they were rescued by the UNHCR, who offered to help Israel by resettling approximately half the community in safe countries providing Israel grant status to those who stay here. In a dramatic press conference announcing the UNHCR deal, the Prime Minister and Minister of Interior referred to Sudanese and Eritreans as refugees for the first time. However, the deal was short-lived and six hours later the Prime Minister backtracked due to political pressure. Despite this, Rwanda had already pulled out of the agreement, so Israel desperately looked to Uganda. Unable to secure a proper agreement with Uganda, the government had to go back on its word, and all 270 individuals who had already been detained were released from detention. On April 24, as part of a new legal petition brought by the Hotline and Tel Aviv University Refugee Rights Clinic on behalf of the refugee rights NGOs, the state informed the court that it had no viable option to forcibly deport asylum seekers to any third countries.



'Against the Deportation, For South Tel Aviv', Hotline at the protest at Rabin Square, March 24th 2018

2. Halting deportation to the Democratic Republic of Congo

In October 2018, to our great surprise, the government announced the end of group protection for citizens of the Democratic Republic of Congo. The Hotline immediately hosted two community meetings to consult with asylum seekers from Congo. Approximately 200 Congolese attended the first meeting on October 13, where they were briefed on the situation and possible steps going forward. Our team also listened to the wants, needs, and concerns of the Congolese community in this difficult period. Many of the people from Congo have been in Israel for 10-20 years, including teenagers who have spent the majority of their lives or were even born here. Following the meeting, a leadership committee was selected, who we have been in regular contact with. We ran a training on speaking to the media for about 20 community members, and

worked together to initiate 16 media items on the issue since the announcement. We conducted research and prepared information for Members of Knesset, after which MK Mossi Raz and MK Meirav Michaeli submitted a request to discuss the matter of the deportation to Congo at the Knesset plenary session. Ultimately, however, the discussion did not take place because the majority coalition split and an election was called. We also updated the US Embassy and the EU delegation to activate them on the issue.

Our Crisis Intervention Center then individually consulted 201 Congolese clients. While the exact number of Congolese nationals in Israel is unclear (the government has released various numbers ranging from 300 to 400), the Hotline has directly assisted at least half of this population by any estimate. Of the Congolese nationals who came to us, the vast majority wanted to check the status of their asylum application. Most of the community submitted asylum applications upon entering the country, any number of years ago. As long as their cases have not been individually assessed and remain open, they cannot be deported. We sent letters to the Refugee Status Determination unit for 181 individuals, and received answers for 176 cases. Of those, all except one still had open cases, and the only closed case was for an individual who did not attend his interview. 16 Congolese nationals were invited by the Refugees Status Determination unit (hereafter RSD) for asylum interviews after we checked the status of their cases. Whilst it is positive in general to see the RSD unit assessing claims, the fact that they are only beginning to assess Congolese claims after 10-20 years, once this population has become eligible for deportation, is typical of the tactics we have seen by the RSD unit to avoid their responsibility to identify and support refugees.

On November 6, our legal department sent a letter to the Ministry of Interior (hereafter MoI) and other branches of the government against the removal of group protection and potential deportation. On November 15th, we sent a follow up letter to the Minister of Interior reiterating the dangerous situation awaiting those who return and the necessity to wait and see what the conditions would be following the elections planned in the Democratic Republic of Congo in December. The Population and Immigration authority (PIBA) responded saying that they stood by their decision and that there was no problem to carry out deportations to Congo.

On December 30th, the Hotline and NGO partners filed a principle petition to the District Court in Jerusalem, requesting to halt the plan to deport Congolese asylum seekers from Israel. The Court issued a temporary interim injunction the next day, barring the state from carrying out deportations until further notice. The judge's decision also stated that he wished to prevent "severe and irreversible damage," a highly positive sign for the case. A first hearing on the case has been arranged for March 2019. As of the end of 2018, the community is safe, but they remain in a limbo and unsure of their future. We will continue to combine legal work, advocacy, and individual casework to protect asylum seekers from the Democratic Republic of Congo.



An interview on Kan Television, Israel's public broadcaster with a family, including two children born in Israel, facing deportation to Congo. The news item was initiated by the Hotline. [Click here](#) to view

Client Story: Julie

We met Julie in late 2018 when she came to the Hotline to check on the status of her asylum application. Julie is a researcher on the use of rape as a weapon of war in the Democratic Republic of Congo, and an asylum seeker from the DRC herself. During her university studies in the DRC, Julie conducted research on the epidemic of rape, traveling to remote villages and cities to interview survivors and expose these crimes. Once she had her results, Julie began raising awareness about the horrors occurring in her country, conducting radio interviews and speaking publically about what she had learned: activities that she knew put her in danger. As revenge for her advocacy, men came to her house intending to rape Julie but, finding her not there, raped her cousin instead. Julie realized that she had to leave the DRC once and for all, so she came to Israel in 2011. Today, Julie's deportation is on hold as she awaits the results of the Hotline's March 23 hearing on our principle case against the deportation to Congo.

Achievements in Numbers: 2018	
# of clients served	2,150
# of detention visits	73
# of individuals released from detention	16
# of legal interventions (includes pre-litigation correspondence and cases at all levels of court)	93
# of media items facilitated	283 (176 domestic, 107 international)
# of Knesset committee hearings attended	16
# of asylum applications filled	255
# of Freedom of Information requests	26
# of reports published	6

3. Public Policy & Advocacy

Throughout 2018, the Hotline facilitated 283 media items – 176 in the Israeli media and 107 in international media outlets. We hosted approximately 500 participants on 22 tours and lectures throughout the year on the topics of refugees and migrants in Israel. Staff attended 16 Knesset Committee hearings, on topics ranging from enforcement of laws affecting asylum seekers to migrant survivors of domestic violence, and attended 25 advocacy meetings with various government bodies including on the issues of Sinai torture survivors and sexual and gender based violence. We submitted 26 Freedom of Information requests, largely regarding conditions inside immigration detention facilities. Finally, in 2018 the Hotline published 6 research reports and contributed material for multiple external reports, such as the State Comptroller's damning report on the RSD system and the U.S. Department of State's TIP report.

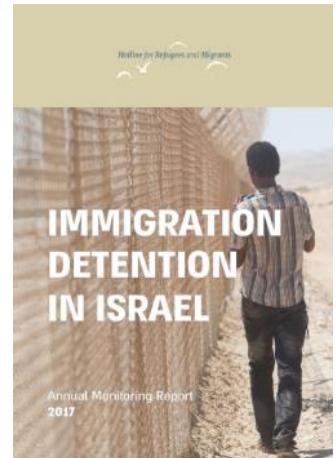
Asylum Seekers Who 'Voluntarily' Left Israel

In January, a report was published detailing the fate of 18 asylum seekers who had 'voluntarily' left Israel to Rwanda and Uganda, and had since been smuggled through Africa, Libya, across the Mediterranean, and on to Europe. We played a key role in this research project, although the final report was published in the name of three independent researchers. This was an incredibly important project and the media that came out of

it was extremely valuable. Israel's channel 2 even played some of the raw footage taken by the researchers in their interviews with the asylum seekers. In the footage, they bravely spoke about their horrific ordeal, which often included torture, trafficking, beating, and starvation. The report was entitled "[Better a prison in Israel than dying on the way,](#)" and is a direct quote from one of the interview subjects.

Detention Monitoring

In March, the Hotline published our annual detention monitoring report for 2017. The report consisted of research conducted with detainees in Israel's four immigration detention centers open during 2017: Holot, Givon, Saharonim, and Yahalom. The chief issues were: conditions for transgender inmates placed in solitary confinement, detention of Darfuris despite the state's promise not to imprison them, the handcuffing of inmates during medical exams, and overcrowding in prisons. Since the publication, there has been significant changes.. In March 2018, Holot quietly closed four years after it opened, as the government planned instead for mass deportation. When the deportation was stopped, hundreds of asylum seekers who had been arrested and were awaiting forcible deportation were released. Today Holot remains closed, and there are fewer asylum seekers in immigration detention than there have been in the last 10 years.



Falling on Deaf Ears: Asylum Proceedings in Israel

In October, the Hotline published our report on the flawed asylum system in Israel. The report served as a continuation of the research from our 2012 report, and came to the same result: Israel's asylum system exists to reject as many cases as possible in order to carry out deportations, rather than to identify those who are genuine refugees in need of protection. For those who are under non-deportation status, the RSD unit does everything possible to ignore or reject their claims by using a range of bureaucratic tactics. The report also compares the Israeli asylum system to other systems worldwide, emphasizing the lack of justice in the Israeli system's process and results alike.

Migrant Women Experiencing Abuse by Israeli Partners

In November, we published a report entitled *You Shall Not Mistreat Her* detailing the situation of migrant women who move to Israel to live with their Israeli partners and become the victims of domestic violence. These women often have to make the painful decision between staying with the abusive partner or losing their legal status in Israel and risking detention and deportation. The report was written in partnership with the Legal Aid Center for Olim. On December 11, Reut Michaeli, the Hotline's Executive Director Emeritus, represented the Hotline and this issue at a hearing of the Knesset Committee for the Status of Women.

Municipal Guide for Integration of Asylum Seekers

During and after the failed deportation in the beginning of 2018, it became increasingly clear that dispersal, or helping asylum seekers integrate into communities throughout Israel rather than living in one densely populated area, was the only long-term solution to the problems facing South Tel Aviv and the refugee community. Thus, the Hotline published the guide for integrating asylum seekers on the municipal level, which provides information and recommendations for municipalities and municipal service providers to absorb asylum seekers. We have drawn on both our and our partners' expertise in this topic and experiences

in municipalities throughout the country. We are currently in the process of meeting with local stakeholders to discuss the asylum seeker communities in their cities and to promote an inclusive agenda on the local level.

Inhumane conditions during visa renewal

In December, the Hotline published *Languishing in Line*, a report about the inhumane conditions outside the MoI offices in Bnei Brak where asylum seekers have to go to renew their visas or to submit asylum applications. The issue of the inhumane treatment and hours-long lines to renew visas has returned a number of times over the years and the report will be useful going forward in visa-related advocacy. One of the significant problems with visa renewals is the fact that there are only two locations throughout all of Israel where asylum seekers can renew their visas: Bnei Brak and Eilat. With nearly 36,000 asylum seekers throughout Israel who have to renew their visas at least every one to three months, the lack of locations is a massive obstacle that requires asylum seekers to spend a full day, and sometimes even more, to renew a visa which they need to work legally.

Media Sample

In 2018, the Hotline facilitated 283 media items both in Israeli and international media. This includes any article for which we liaised with the journalist, provided interviews, connected the journalist to community members to do interviews, or that quoted our press releases or our research. The international aspect of the third country deportations particularly drew the attention of many international media outlets. The following is a small sample of media items:

English Media Sample		
Ha'aretz 20.12.18	'I Can't Go Back, I'll Be Killed': Soccer Star Fears Death if Israel Deports Him to Congo	Link
Ha'aretz 17.07.18	Asylum Seeker and Two Children Released From Israeli Jail After Two Months' Detention	Link
Washington Post 05.03.2018	The future of Israel's 'dreamers'	Link
The New York Times 04.01.2018	Israel Offers African Migrants a Choice: Ticket Out or Jail	Link
The Guardian 2.1.2018	Israel to tell African migrants: leave or face indefinite imprisonment	Link

4. Crisis Intervention Centre (Paralegal Department)

In 2018, the Hotline's Crisis Intervention Center directly assisted 2,150 individuals, 2,074 of whom were asylum seekers and 76 of whom were migrants. This was almost a 30% increase on the number of clients from the previous year. Thanks to some emergency funding from generous donors at our time of need, our team normally comprised of 2 case workers, 3 national service volunteers, and 1 cultural mediator was temporarily increased by another 2 case workers and a second cultural mediator. With this increase of staff, we were able to provide the necessary casework to protect particularly vulnerable cases of Sudanese and Eritreans who were issued deportation orders between February and April.

During the year, the CIC team also conducted 73 visits to immigration detention centers. We succeeded to free 16 individuals from detention. We sent 1,714 letters to government bodies on behalf of our clients and accompanied 58 individuals to various appointments with government authorities. During the deportation period in the beginning of the year, the majority of our clients were Eritrean and Sudanese asylum seekers with deportation orders.

RSD Clinic

In 2018, the Hotline's RSD clinic helped 255 asylum seekers fill asylum applications. This project, started in October 2017, is run by one of our cultural mediators who is an Eritrean asylum seeker himself. Between 4pm-8pm every Thursday evening, volunteers come to the Hotline's office, where they meet asylum seekers and assist them in writing their asylum applications. Applications can only be submitted in Hebrew or English, and therefore many people need help. All of our volunteers attended a training course run by one of our attorneys on the UN refugee convention and how to write a proper RSD application before beginning their work at the clinic. Out of the 255 individuals the clinic assisted this year, 212 were men and 43 women. The majority of asylum seekers were Eritrean and Sudanese nationals, but we also assisted individuals from Ethiopia, Congo, Russia, Ukraine, Colombia, South Africa, Kenya, Guinea, and the Central African Republic.

Combatting Human Trafficking

In 2018, the Hotline succeeded to have 16 individuals to be recognized as survivors of human trafficking. This status provides them with a place in a residential shelter, access to psychological and medical care, a one-year work permit, and other institutional support that allow them to recover. 15 of those granted status were asylum seekers who fell victim to human trafficking in Sinai during their journey to Israel. The last one was a woman bought from Ethiopia to marry an Israeli man, and then held hostage and abused. We have an additional 16 cases of individuals who we recommended for recognition that are pending. Five of these pending cases are workers from the Turkish construction company Ilmazlar, further discussed below.

Client Story: Saved from Deportation

Habtezgi is an Eritrean man who came to our offices at the end of February after receiving a deportation order. Over the course of a conversation with our Crisis Intervention Center staff, Habtezgi shared with his case worker that he and his wife are undergoing fertility treatments due to trouble conceiving. His wife had suffered a miscarriage earlier in the year. Fathers were exempt from deportation, but husbands with no children were not explicitly exempt, leaving the possibility that couples without children could have been split up. We wrote an affidavit affirming the need for him to stay, including documentation from the fertility clinic to prove that they were undergoing treatment. This affidavit was written after Habtezgi visited our office multiple times to consult with staff on his case. After presenting his file in his hearing, Habtezgi's deportation order was revoked and he was granted a visa.



A Hotline volunteer consults with a client during a visit to Holot detention center, February 2018

Client Story: Mother and children released from detention

In July 2018, the Hotline successfully released a mother and two children who had been held in immigration detention for two months. The parents were both Ethiopians whose asylum applications had been rejected. The father had been in detention in Saharonim for a year and a half after refusing to leave Israel due to fear of return to Ethiopia. The Immigration Authority then tried to deport the mother and two children, who subsequently refused to leave as they did not want to be separated from their husband/father. They were detained for two months, an especially long time for two children under the age of four. After the Hotline's third request for release, in which paralegal representatives argued that there was no public interest in keeping the children in detention and that doing so could harm the children's wellbeing, the mother and children were released. The father, still in Saharonim, has a legal case pending. In the meantime, the children are not in jail and the family has not been split up.

5. Legal Department

In 2018, the Hotline completed 93 legal interventions at all levels of court. 65 of these were on behalf of refugees and stateless individuals, relating to issues such as asylum applications, detention, and deportation. The other 28 interventions were on behalf of migrants, including migrant workers, children of migrant workers born in Israel, and victims of human trafficking. This year, we argued 5 cases in the Supreme Court, all of which were on cases regarding asylum seekers or stateless individuals. Below are details of some of our most important cases.

Protecting Victims of Sinai Torture Camps from Deportation

Our commitment to protecting survivors of the Sinai torture camps was particularly relevant under the threat of deportation at the beginning of the year. On February 4th, the Hotline's legal department issued an urgent request to the MoI, demanding it cancel its decision to deport thirteen Eritrean asylum seekers – all survivors of the torture camps in the Sinai. The MoI answered the request saying that torture victims were *not* within the criteria of exemption from deportation.

On April 2nd, we submitted a principle case to the High Court requesting to exempt all torture victims from the deportation. The case was on behalf of 12 individuals, 5 of whom had already come under the deportation policy and were in indefinite detention in Saharonim. On April 5th, we were very happy to receive an interim temporary injunction. A few days later we received a disappointing response from the court saying that they would not hear it as a principle issue and that we would have to litigate the cases individually starting at the lowest level of court. This was extremely disappointing, despite the fact that the court's hesitation to consider matters on a principle level is something we have encountered for years. All of the torture victims were subsequently released when the deportation plan was cancelled, thus removing the need to appeal this decision to the Supreme Court.

Rehabilitative services for Sinai Torture Victims

For the last two years, we have been conducting legal and advocacy work to secure state-funded rehabilitative services for survivors of the Sinai torture camps. Together with ASSAF and PHR, we have advocated that the government put together a program to identify and assess the rehabilitation needs of

victims of torture. This program would then provide them with a certain grade of rehabilitative services according to their needs, ranging from health insurance for the more moderate cases all the way to residential care for the most severe cases. The model would be based on the current model in place for identifying and helping victims of trafficking. In 2017, the inter-ministerial committee on combatting trafficking agreed that they would conduct a pilot program for torture victims (exactly as we suggested to them). During 2018 the pilot program finally took place. The state requested that we refer pilot participants to them for assessment, something we were extremely hesitant to do considering that there was no commitment that there would be any outcome for the participants. On the other hand, the committee appeared to be taking it seriously, and the program had the potential to result in real improvement in the situation of torture victims in Israel. We therefore provided hundreds of referral cases for the pilot, along with partner organizations. The cooperation with the governmental employees appeared to be positive, and there were strong indicators that they respected our professional experience in working with victims of torture, as they included the vast majority of our referrals.

At the end of 2018, the recommendations, which were due to be published in July 2018, were not published. Due to political pressure, it now appears that the government is pursuing recommendations that we will find deeply inadequate. Furthermore, it is possible that the government will put the policy up for a vote before we have a chance to express our view of the final recommendations. It is unclear whether the final vote will occur before or after the dissolution of the current government and election of the next government. Either way, we are preparing to file a suit to force the government to publish or strengthen the recommendations.

Sri Lankan Asylum Seekers and Access to Yahalom Detention Center

At the end of October, UNHCR notified the Hotline about 13 Sri Lankan nationals held at the Yahalom detention center (located at the airport), who had been blocked from applying for asylum and were set to be deported. Our legal team gained entry into Yahalom, a center that we have rarely had access to, and submitted an urgent appeal to halt their deportation. The deportation was successfully halted, after which our team submitted individual asylum requests for all 13 members of the group. Sri Lanka was going through a constitutional crisis and the group, who were active in a political party and had been persecuted in the past, were advised not to return since two other activists had been killed in a demonstration.

On November 6th, we obtained a release decision for all 13 asylum seekers. The state immediately appealed to the District Court, preventing their release. On November 14th, the District Court upheld the previous decision in our favor. They ruled that there should be independent external legal checkups on those detained in the Yahalom detention center. Unfortunately, the state then appealed the judgment to the Supreme Court, which reversed the decision. Our legal department made the unusual decision to request an additional review of the Supreme Court's final verdict, and we currently await this decision. As the legal proceedings progressed, the Sri Lankans were kept in detention, all 13 asylum requests were rejected, and deportation orders were issued. We quickly appealed each rejection and received interim injunctions. Luckily, the political situation in Sri Lanka changed when the Prime Minister announced his resignation, and the group felt safe to return. On December 18th, they returned to Sri Lanka after expressing extreme gratitude to our legal team for their support.

While this episode ended safely for the 13 individuals involved, the case continues to hold greater significance regarding the Yahalom detention center. 10,000 people are detained there annually, where the only group with access to them is the Border Control Authority. There is no way for the Hotline or any other body to monitor what goes on in Yahalom, know what kind of people are detained, how many of them ask to apply for asylum, and what kind of conditions they face. The conditions at Yahalom constitute Incommunicado Detention—detainees held there have no way to contact the outside world and no one knows they are there. This type of detention is a broad violation of human rights.

Right to Family Unity

For a long time, we have been working on the issue of the right to family unity when one of the partners has a standing asylum request and the other's asylum request was already denied. The state's policy currently only ensures family unity in these cases if the couple were married before arriving in Israel. In cases where the couple met in Israel, the state claims that they have no responsibility to allow the couple to stay together, and that even if the couple has children in Israel they can deport a spouse. In 2018, we began litigating a case on behalf of a couple who began their relationship and were married in Israel. The father is Eritrean and therefore protected from deportation, whilst the mother, who the state claims is Ethiopian, can be deported. In 2017, we appealed on their behalf and received an unreasonable judgment that if the family wanted to stay together, they could go to a 'third country' (Rwanda or Uganda), which we know to be an unsafe option. On February 15th, we appealed this decision to the Jerusalem District Court. Early in October, we had a successful court hearing, in which the District Court heavily criticized the Mol for not considering the humanitarian effect of its demand to split the family. On October 25th, the Mol stated that it would allow the mother to file a humanitarian request in a special procedure, asking the state to allow the family to continue living freely together in Israel based on the right for family unity. Whilst this is a very positive outcome for this particular family, the principle issue remains unresolved, and there are other families and couples at risk of being separated due to this policy. We plan to continue addressing this issue in 2019.

Somali Asylum Seekers

On January 25th we had a hearing in a case on behalf of a Somali asylum seeker whose temporary protection visa was revoked without advanced notice, thereby putting him at risk of deportation without any opportunity to advocate for himself. The Tribunal accepted our appeal, and ordered Mol to conduct a fair hearing of his claims before deciding on his status in Israel. On February 20th, the Mol illegally detained him, ignoring the obligation it had made to the Court to allow a hearing and consider his claims before any such arrest. Our legal department rapidly issued a request for his release. The request was successful, and resulted in his immediate release and the Tribunal's harsh critique of the Mol's actions.

On March 4th, we represented him in a hearing before an immigration officer to oppose the Mol's intention to deport him back to Somalia, where conditions are still dire. The hearing was unsuccessful, so we turned to the courts on behalf of both this client and another Somali citizen in a similar situation. Our appeal requested that the non-deportation order be



Hotline attorney Alaa Khater with
Somali clients at a court hearing,
November 11th 2018

reinstated for all Somali citizens in Israel (approximately 40 people). On June 12th, the Appeals Tribunal issued an injunction ordering the MoI not to deport them and to renew our client's visa while his case is pending—a positive indication. Both sides have now completed their arguments and a verdict is pending.

Long-term detention of stateless people

In 2018 we litigated a number of cases regarding limits of detention for stateless individuals. In July, our legal department handled a case regarding a man held in detention for *over five years*. The man arrived in Israel with a Guinean passport, but maintains that he is from the Ivory Coast. Attempts to forcibly remove him have failed. The main question in his case is: given that he cannot be deported against his will, how long is it legal for him to stay in prison? The court ruled that the man would remain outside of detention until a formal envoy from the Guinea arrives in Israel to facilitate his removal, at which time the state can re-arrest him to carry out his removal. If the Guinean envoy does not arrive, then the court will be forced to decide how long a stateless individual can legally remain in detention.

A second case, currently pending in the Supreme Court, is on behalf of a man who claims to be from the Ivory Coast, although neither their embassy nor the Israeli government considers him Ivorian. Israel's policy regarding statelessness is that the status of 'stateless' (and the associated rights) cannot be granted to people who entered the country 'illegally'. Stateless individuals therefore end up spending years in detention. Sometimes they are released with orders to leave the country by a certain date, however they are unable to because they have no passport and no country, and therefore get rearrested and detained. The Hotline is arguing that this is an infringement of the right to liberty, and that means of entry should not affect the right to be classified as stateless.

Ilmazlar Construction Company and Rights of Migrant Workers

During 2018, we took a case on behalf of 11 workers of Ilmazlar, a Turkish construction company with operations in Israel. Ilmazlar has a unique visa arrangement where they are able to hire workers in Turkey to come to Israel to work specifically and only for this company. For years, we have heard stories of the slavery-like conditions suffered by workers of Ilmazlar. However because they have no right to work for any other company, and no access to Israeli authorities or NGOs, they are very vulnerable to exploitation and abuse.

This year, 11 workers turned to the Hotline after abandoning their jobs at Ilmazlar. We sent a request asking that they be allowed to work at another company. The MoI did not respond, so in May we went to court. We requested that the workers be given B-1 work visas under which they have far more employment opportunities. We are also advocating for five of the men to be recognized as victims of human trafficking. We view this case as an opportunity to reignite the discussion regarding the harsh abuse suffered by workers of Ilmazlar, as well as other foreign construction companies, which circumvents a major decision of the Supreme Court forbidding the binding of migrant workers to their employers.

Organizational Developments

We welcomed our new Executive Director, Dr. Ayelet Oz, on January 1st 2019. Dr. Oz comes to us from the Public Defender's Office in the Ministry of Justice where she served as the Director of the Administrative Law Division from 2016-2018. She holds Bachelors' Degree from Tel Aviv University and a Doctorate of Juridical Science from Harvard University.