



*Hotline for Refugees and Migrants*



# END- YEAR REPORT

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**2020**

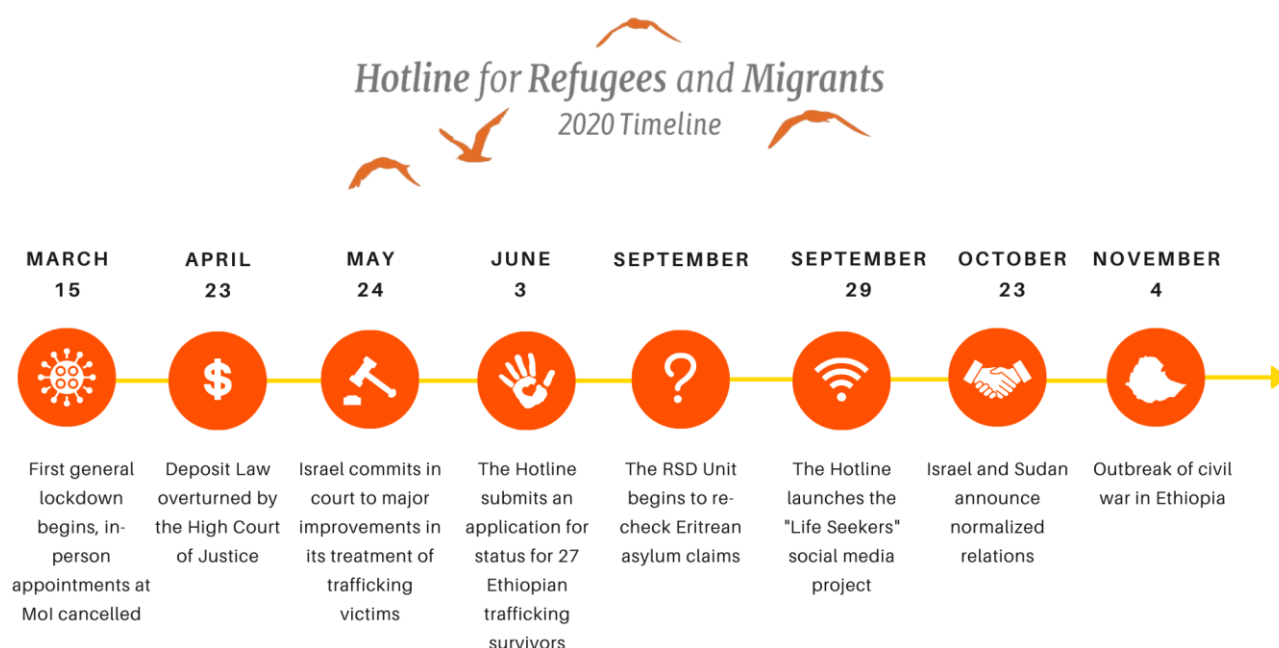
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## Executive Summary

The year 2020 was dominated by the Coronavirus pandemic, which arrived in Israel in February and led to a full lockdown on March 15. The beginning of the pandemic was a sprint, in which **Hotline staff rushed to simultaneously adapt to providing our services under new safety requirements and keep up with the massive demand as thousands of asylum seekers became unemployed overnight, or were at greater risk of infection inside detention.** As we coped with the needs of unprecedented numbers of clients each month, and the challenge of not meeting our clients in person, we grew accustomed to our new modus operandi and continuously transformed our work to best fit the ever-changing needs. We have continued working primarily from home, and assisting clients via telephone, WhatsApp, Facebook, and Telegram, as we and our beneficiaries endured the long period of repeated lockdowns over the past year.



But as we look back, we see that the pandemic also opened up new possibilities for change, **forcing the government to acknowledge that asylum seekers and migrants are a part of Israeli society, and that the communities' health and wellness are inextricably linked.** Our communication with the Ministry of Interior has never been stronger, as we worked together to ensure asylum seekers had access to their all-important visas, tools for accessing legal work and their own bank accounts. After a year of unprecedented demand for our services and consistent governmental advocacy work, we managed to create a "new normal" fit for health restrictions and our beneficiaries' needs. We also saw tremendous changes in the treatment of victims of human trafficking. Following our intensive legal and political advocacy throughout the year, the Police Task Force on Human Trafficking finally grew to see themselves as protectors of the innocent, and have never been more motivated to assist trafficking survivors. As we enter 2021, the future remains unclear. A majority of asylum seekers are still unemployed, and struggling to get by each day without the welfare benefits that assist Israelis when times get hard, but new possibilities have arisen in regards to the malfunctioning RSD system. **We will do all in our power to help the community through the challenging times ahead, as we push Israel to fulfill its commitment to justice and protection of refugees.**

## Overview of the Year

HRM Achievements in Numbers 2020	
# of clients served	<b>5,444</b> (compared to 1,189 in 2019)
# of individuals released from detention	<b>20</b> (19 asylum seekers, 1 stateless person)
# of legal interventions	<b>100</b> (70 on behalf of asylum seekers, 12 on behalf of migrants, 8 on behalf of stateless individuals, 10 regarding immigration detention) (compared to 50 in 2019)
# of media items facilitated	<b>184</b> (115 in Israeli media, 69 in international outlets, <b>30% total featuring refugee voices</b> )
# of participants in social events between asylum seekers and Israelis	<b>200</b> in-person activities, <b>15,000</b> viewers of online events
# of research publications and submissions	<b>6</b> (containing over <b>200</b> pages of research)
# of advocacy interventions	<b>56</b>
# of women assisted	<b>669</b>

HRM Achievements in Brief 2020
Co-led the Government-NGO Roundtable on Non-Citizens in Israel During the Coronavirus
Succeeded in eliminating the requirement of in-person appointments for visa renewals and bail deposits
Created legal precedents that contributed to mass release of immigration detainees, causing a 70% drop in the number of immigration detainees throughout 2020
Led the government to create a new procedure for questioning and recognizing victims of human trafficking
Led the government to commit to increasing the resources for investigating human trafficking cases and protecting victims
Assisted two Eritrean clients to gain refugee status
Obtained a one-year work visa for group of 27 Ethiopian women who fell victim to human trafficking
Broadcasted one-on-one interviews with asylum seekers and personal testimonies by refugees to thousands of Israelis online

HRM English Media Sample 2020		
<b>Haaretz</b> January 19	Why Israel Keeps Deporting Foreign Workers – and Their Kids – Only to Import New Ones	<a href="#">Link</a>
<b>Times of Israel</b> February 16	In the battle against sex trafficking, Israel's 'invisible' women find new voice	<a href="#">Link</a>
<b>Kan 11 News</b> September 6	Justice for human trafficking survivors	<a href="#">Link</a>
<b>YNet</b> November 11	Beatings and forced medication: Asylum seekers in Israel report inhumane conditions	<a href="#">Link</a>
<b>Foreign Policy</b> December 10	The Kafkaesque World of Sudanese Refugees in Israel	<a href="#">Link</a>

## Activity Report

### 1. Protecting Rights During the COVID-19 Pandemic

Throughout the pandemic period, the Hotline was forced to work as we never have before. Over the course of a single weekend after the first lockdown orders were handed down, our entire staff began working from home. The most significant shift was in our Crisis Intervention Center, which **became a phone hotline operating daily to meet the flood of clients** calling us with Coronavirus-related concerns. The situation changed so rapidly that our management team, composed of each Department Director as well as our Development Director and Executive Director, met every morning at 7am over Zoom for up to two hours, to discuss the previous day's developments and strategize for the day to come. **Over the first three months of the pandemic, our Crisis Intervention Center assisted nearly twice as many people as in the whole of 2019**, sometimes assisting up to 100 new clients each day. As time went on, we adapted to the massive demand for assistance by using new technology to assist the community as we never had before. We slowly decreased our number of phone reception days down to three, then two, and eventually back to one per week, while opening up new reception options over WhatsApp and even over Facebook.

As time went by and our staff both adapted to this new reality and succeeded in simplifying many of the challenges facing the community, we also began activities to build the community's own capacity. We created and published videos on Facebook explaining how to renew visas online and how to get in contact with the Ministry of Interior (Mol) in Tigrinya, Arabic, Hebrew, and English. These videos reached tens of thousands of asylum seekers, and proved hugely successful in allowing the community to manage their own visas. **This success not only empowered the community, but freed up the Hotline's Crisis Intervention staff, allowing us to manage a smaller number of more complex cases**, rather than a massive number of simple cases.

#### Co-leading the Government-NGO Roundtable on Non-Citizens in Israel During the Coronavirus

On March 23 Dina Dominitz, Israel's Inter-Ministerial Coordinator on trafficking in persons, invited Dr. Ayelet Oz, the Hotline's Executive Director, to co-lead the Government-NGO Roundtable on Non-Citizens in Israel During the Coronavirus as the head nonprofit representative. Dr. Oz reached out to NGO partners and created a small committee of representatives from five leading NGOs to represent the third sector in the roundtable. Working together, within 24 hours this committee constructed a thorough description of the needs of refugees, migrants, and status-less people in Israel. Dr. Oz also invited prominent activists from the refugee communities themselves to share their insights with the government. **Led by Dr. Oz, the NGO and refugee community leaders presented these needs the next day to over 50 representatives from various government authorities and philanthropy representatives.**



Following the main meeting of the roundtable, Dr. Oz kept in close contact with the fellow co-chairs and numerous government officials, to ensure that none of the major needs were left unaddressed. Not all of the issues laid out in the initial NGO presentation were addressed in the manner recommended by Dr. Oz and the other NGO representatives, but the roundtable provided us and the community leaders themselves unprecedented access to civil servants and accelerated government and philanthropy assistance to refugees in the initial stages of the crisis.



## Releases from detention during the Coronavirus

In the beginning of the Coronavirus period, Israeli Prison Services (IPS) decided to move all immigration detainees from Saharonim Immigration Prison to Givon Immigration Prison, so that Saharonim could serve as an isolation facility for infected detainees. With this decision, we became concerned about overcrowding, which could drastically escalate the spread of the virus if it reached detention. On that basis, we decided to work toward the release of as many detainees as possible, especially asylum seekers from Sudan and Eritrea held under the [Criminal Procedure](#), who are not candidates for deportation and therefore could remain in prison indefinitely without our intervention. We initially issued a principal appeal to the Ministry of Justice (MoJ) and MoI requesting to release all Criminal Procedure detainees who did not pose a concrete risk to public safety. As time passed and we received no answer, we took it upon ourselves to represent as many detainees as possible. A series of release requests and court cases filed together by our Legal Department and Crisis Intervention Center led to principal achievements in the requirements for detention release, **and the release of 12 detainees in approximately two months**, compared to an average of five releases per year since the closure of Holot. Many others we did not represent were also released based on precedents set in our cases, **leading to the release of over half of those who had been in immigration detention at the beginning of the Coronavirus period.**

One legal achievement that facilitated this momentous outcome was a ruling handed down by the District Court in response to two appeals we filed during the emergency period. The appeals were against the Detention Review Tribunal's refusal to release detainees who could not find supervising sponsors who would agree to watch over them at all times for an indefinite period following their release. **The District Court agreed with our argument that this requirement, previously the norm in release cases, was excessive and unwarranted** in cases where the detainee does not present a significant risk to public safety, and ordered the Tribunal to reconsider. This led to the release of the two clients in question, and later one more detainee; this precedent will also have a long lasting impact, even beyond the times of Coronavirus.



The second major achievement is related to the posting of bail prior to a detainee's release, which is a standard release condition and was formerly only possible in-person. During the emergency period, we argued that forcing people to travel to the bail unit office at Ben Gurion Airport to post bail in person, while travel restrictions were in place, posed an unnecessary risk to their health and that without a way to post bail electronically, this condition for release should be eliminated. The Tribunal accepted our argument, and four detainees were released and allowed to post their bail later on, after travel restrictions were lifted. Further, **these decisions spurred the State to create a method for posting bail online, which will continue beyond the Coronavirus period.**

## Fighting bureaucratic obstacles to issuing valid visas for asylum seekers

**Valid visas are a prerequisite for a stable life for asylum seekers, particularly in the time of Coronavirus. Without valid visas, asylum seekers cannot work legally, access their bank accounts, or receive their refunded deposit funds.** Prior to March 2020, visa renewals took place in person at the MoI office in Bnei Brak. Following the nationwide Coronavirus shutdown in mid-March, we quickly identified the urgent need to find an alternative to these in-person appointments, to prevent asylum seekers from being forced to choose between their livelihood and their health. We pushed through every avenue available to us and following our advocacy, within two days **the MoI set up an online system enabling visa renewal** for asylum seekers under group protection, without the need for in-person appointments. Following this success, which will have enormous effect on asylum seekers' lives even after the pandemic, we encountered many problems

in the new online system, which constituted much of our Crisis Intervention work in 2020. But even despite the many issues we were forced to tackle, we still consider this a major success, as it considerably improves quality of life for asylum seekers in Israel.

**The first type of issues we encountered were technical:** the website crashed frequently, visas displayed incorrect dates, and the website required the input of esoteric and sometimes unknown data. Over the course of the Coronavirus, we developed close communication with the Population Authority (PIBA) staff, and most of the time these issues were corrected quickly after our request. **The second major type of problems were with the visa's perceived legitimacy.** The renewal document, printed off a website, did not carry an official MoI seal, so some employers, landlords, and others refused to accept the document, thinking it was illegitimate. We addressed this concern by asking PIBA to issue a public clarification, a request which was publicly supported by MK Tamar Zandberg, and to add the asylum seekers' photos to the document. These changes relieved the burdens of asylum seekers who, despite holding valid visas, had to convince their employers or other authority figures that the visas were not counterfeit. By the end of 2020, these types of concerns had virtually disappeared.

While most asylum seekers were able to renew their visas via the new online system, some still had to renew their visas in person at the Bnei Brak office, for a variety of reasons (e.g. because they lost or damaged their original visa, without which the extension slip is invalid). This was particularly difficult for asylum seekers residing in Eilat, who were forced to travel all the way to Bnei Brak (upwards of ten hours round trip), despite the Eilat MoI branch being open at that time for Israelis and other foreigners—just not asylum seekers. **We submitted a petition against this discriminatory policy, shortly after which the MoI announced on August 25 that asylum seekers who live in Eilat and require in-person appointments would be able to renew their visas within the city of Eilat.**



### **Protecting due process for detainees during the Coronavirus**

At the beginning of the Coronavirus period, all of Israel's detention facilities were closed to visitors in an effort to prevent the spread of the virus. This forced us, for the first time in the Hotline's 22-year history, to represent individuals we were unable to meet in person, but could only speak with over the phone. Due to the obstacles presented, we were required to come up with solutions to allow for proper representation under the visitation ban. **The Detention Review Tribunal agreed to accept detainees' oral statements that they were being represented by the Hotline instead of a signed power of attorney form,** and through our increased communication with detention social workers and other staff, **we built a strong relationship with our counterparts that allowed us to receive updated information on the changing situation within Givon** and stay in direct contact with current and potential clients in detention.

Following our experience during the first lockdown period, when the Detention Review Tribunal held hearings via Zoom, we felt strongly that this practice poses significant dangers to the protection of detainees' rights. As most immigration detainees are not represented by attorneys and do not speak Hebrew, they are not able to properly advocate for themselves before an adjudicator when their hearing is held via video conference. In one case, a detainee's release was delayed for nearly a week for the sole reason that, over Zoom, he was unable of explaining to the adjudicator what sum of bail he was able to post. We presented our findings and concerns to the government, following which **the government committed in a Knesset hearing on August 4 to hold all Detention Review Tribunal hearings face to face, regardless of the regulations set in other courts.**

Moreover, in May, the Ministry of Internal Affairs proposed new laws designed to authorize limiting access of visitors and representatives to detention facilities in case of a second wave of the Coronavirus. The laws

presented created a stark difference between the rights of attorneys in accessing detention facilities (to be restricted only under extreme circumstances) and the access rights of all other visitors. Dr. Ayelet Oz spoke in the Knesset Interior Committee hearings on this proposed law four times throughout July, aiming to ensure that entrance to detention facilities by Hotline staff who are not lawyers, but do represent detainees, would be protected. **On July 13 the government committed to treating the Hotline's paralegal staff who represent detainees as if they were lawyers in all matters relevant to accessing detention centers. The Hotline's staff have been able to access detention facilities ever since, thus ensuring the right to representation is upheld.**

## 2. Protecting Asylum Seekers' and Refugees' Rights

### 2.1 Basic Livelihoods, Access to Rights, and Overcoming Bureaucratic Obstacles

#### Limiting the Anti-Infiltration Law

In November, the government published a bill aiming to extend two sections of the Anti-Infiltration Law that are still in effect: the limitations on "infiltrators" transferring money out of the country and geographical limitations on employment. On November 26, together with the refugee forum, we filed detailed comments to the bill, opposing extending those limitations. We argued that these limitations serve no other purpose than making asylum seekers' lives miserable, and that they have severe implications especially at the time of a global pandemic. We also pointed out that the MoI itself did not track the need or effect of these limitations as it was required according to the law. We participated in the Knesset Interior Committee hearing on the matter, and **due to our work the law was extended for only one year instead of three**, as requested by the government. We hope this year will see the end of this discriminatory law.

#### The right to family unity for asylum seekers

On November 4, an ongoing case we have been litigating for the past two years finally came to an end. In this case, we requested the amendment of section 12(c) of the Procedure for Handling Asylum Seekers in Israel, so that spouses of asylum seekers would be protected from deportation, regardless of whether the marriage took place prior to the couple's entrance to Israel or not. During the court hearing on our petition, the State notified the Court that it would change its policy and consider requests from couples that met in Israel on their merits under exceptional circumstances. Following this commitment, we agreed to withdraw our petition, and plan to challenge the definition of those "exceptional circumstances" in future cases. Following the hearing, the State's commitment was incorporated into a new procedure, and has been heavily weighed in other cases relating to section 12(c) of the Procedure. **The State's commitment provided during our hearing has resulted in a number of couples being allowed to stay together in Israel!**



#### Deposit Law partially overturned

In April, Israel's Supreme Court handed down a decision on a 2017 petition filed by Kav LaOved against the Deposit Law, on which the Hotline is a petitioner. In this decision, the Justices struck down the aspect of the law which required asylum seekers' employers to deposit 20% of asylum seekers' salary in a government fund



to which the asylum seekers themselves did not have access. Employers will still have to pay other additional fees into asylum seekers' deposit funds, but **asylum seekers will receive their full salary**. The Court gave the State a month in which to return all deposit funds to the asylum seekers. The decision represents a massive victory on behalf of Israel's asylum seekers and came at a critical time in which it prevented many asylum-seeking families from falling into dire poverty and homelessness. Within two months, nearly 200 million Shekels were returned to asylum seekers. Despite the Court decision, approximately 4,000 asylum seekers still faced severe bureaucratic obstacles to receiving their deposits, e.g. when they could not access their bank accounts, where the deposits were sent, because they did not obtain a valid visa. We assisted hundreds of those individuals in accessing the funds rightfully owed them. We also worked with representatives from Bank of Israel to **overcome other obstacles** which impact many asylum seekers.

In October, following requests from Kav LaOved, the Mol published the list of the remaining individuals who did not request the money they were entitled to from the deposit fund. Among the 3,000 people on the list, roughly 200 were former Hotline clients. With the help of 11 volunteers, the Hotline tried to reach all those clients and inform them of the funds available and the way to retrieve them. Among them, we reached 86 people, who successfully received their deposit funds!

### **Shedding light on abuse of asylum seekers at Mol facilities**

In June, after nearly two years of working with reporters and providing relevant information, an episode of the Israeli news show [HaMakor](#) highlighted the severe physical and verbal abuse asylum seekers and migrants face when they renew their visas at the Bnei Brak Mol facility. Following the momentum of the HaMakor piece, we started a [petition](#) asking the Israeli public to join our demand to end the abuse. We also posted a [series](#) of [stories](#) on [Facebook](#) showing that the abuse our clients face goes far beyond what was shown on HaMakor. Finally, we sent a complaint to the Ministry of Justice Unit for Combatting Racism and, together with the Refugee Rights Forum, drafted a letter on this abuse and sent it to relevant decision-makers in an effort to spread awareness of and stop this rampant abuse. **Sadly, mistreatment of asylum seekers and migrants in Mol facilities is a common theme of our work, and we have been trying to stop this abuse for years. We will continue handling these complaints until all asylum seekers and migrants can access their basic rights in Israel without fear.**

### **Assisting asylum seekers living outside of Tel Aviv**

One of our major goals for 2020 has been to ensure that our services are available to asylum seekers throughout all of Israel, not just to those who live in Tel Aviv. On January 28, the Hotline's Crisis Intervention Center and one lawyer travelled to Be'er Sheva where they assisted community members and participated in an informative meeting with community members and volunteers. Other visits we had planned were cancelled as a result of the Coronavirus, but we worked with local activists to publicize our phone hotline, and **55% of our calls during the Coronavirus period have been from outside of Tel Aviv**. Because half of the asylum-seeking community in Israel is concentrated in and around Tel Aviv, the vast majority of organizations providing services to the community, including during this difficult time of Coronavirus, are also based in Tel Aviv. Ensuring that those living in the periphery have access to the same support and services is essential in working toward the good of the entire community.



### Challenging Eritrean asylum rejections and celebrating newly-recognized refugees

Following the end of the "Mesgena" legal case on asylum applications of Eritrean military deserters in late 2019, the Mol committed to re-opening and examining all asylum applications of Eritrean asylum seekers. During the second half of 2020, we began to hear of answers being released. **We were thrilled to learn that two of our clients received refugee status!** On June 28, we accompanied one of them to Mol offices to pick up his Israeli ID card. He is an Eritrean citizen who served in the Eritrean military for 15 years, during which time he was tortured by his commanders and once put in jail for six months for the crime of requesting to see his family for the first time in four years.

Sadly, most Eritreans who have approached us this year have had their asylum applications rejected. Of ten rejections we have carefully screened in 2020, we have submitted three appeals to the Appeals Tribunal (one of them together with our colleagues at HIAS and the TAU Clinic). These appeals will have massive implications both for our individual clients and for the Eritrean community as a whole, as they are focused on major systematic flaws in the way the decisions were made. **If we are successful, we will set legal precedents that will assist many in Israel's Eritrean community to receive rightfully deserved refugee status.**



### Relieving concerns regarding normalization with Sudan

In October 2020, a normalization agreement was announced between Israel and Sudan. Following this announcement, unsubstantiated rumours began flying within the Sudanese community and from anti-refugee politicians, claiming that a home-country deportation was in the works. In the weeks following the announcement, we conducted significant media work, spreading the message far and wide that a **deportation remains impossible as Israel has yet to check Sudanese asylum claims**. We also briefed American and European Union representatives on the situation, as international actors were interested in the update. Later on, the head of PIBA himself repeated our message, confirming that there was no plan to deport Sudanese nationals. A silver lining of the concerns following the normalization was that many Sudanese asylum seekers, particularly women, who had been living in Israel for years without submitting asylum claims were motivated to fill out and submit asylum applications in October and November.

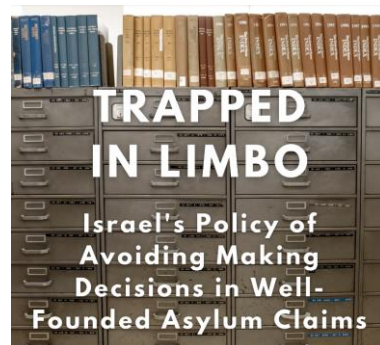
### Assisting asylum seekers to submit asylum claims during the pandemic

During the pandemic, to ensure the continuation of the right to claim asylum in Israel, the Mol switched to an online method of submitting asylum claims. Although this was on the whole a positive move, the form had several errors, which we tended to throughout the year. These issues were largely technical, such as character limits in the form and requiring the input of a passport number, but together greatly impacted applicants' ability to accurately represent their asylum claim. Following our interventions, solutions were provided to each error with the online form, and the right to claim asylum was continuously upheld.

Due to the online asylum system and the massive demand for other services, the Hotline also decided to increase the capacity of other refugee rights activists to assist with asylum forms at the highest level. Therefore, in November, the Hotline's Crisis Intervention Center conducted a training session for student volunteers at HIAS, to teach them how to best fill out RSD forms. Following this training, we sent dozens of clients to both HIAS and the Tel Aviv University Refugee Rights Clinic, where we are certain they will receive the highest level of assistance.

## New report on the failings of Israel's asylum system

On September 24, ahead of a Supreme Court hearing regarding the time that has passed without deciding Darfuri asylum requests, the Hotline published our newest report, [Trapped in Limbo](#). This report, named for a quote from Supreme Court President Justice Hayut, brings together the latest information regarding the examination of asylum applications from Eritrean and Sudanese citizens as of September 2020. **The report details the various ways in which the State has deliberately refrained from reviewing worthy asylum applications in the last decade:** from denying access to the asylum system; to a publicly espoused policy of only reviewing applications of individuals from countries without group protection in Israel (i.e. Ukraine, Georgia, Sri Lanka, etc.) who may be deported back to their home countries; to the arguments provided by the State to the High Court in an attempt to justify its failure to check asylum claims for individuals from Darfur, the Nuba Mountains, and the Blue Nile regions of Sudan. Our study further shows that in many other countries, there are legal caps on the maximum amount of time it may take to decide each individual asylum claim. In Israel, on the other hand, the length of time for examining applications is not even regulated in the Population and Immigration Authority's internal work procedures, thus allowing asylum seekers to be, as Justice Hayut said, "trapped in limbo."



## International comparative research on children of asylum seekers

During the first half of 2020, we completed a research report looking into the legal status of children of asylum seekers in 11 countries. Our initial research was done with the pro-bono assistance of law firms Orrick, Herrington & Sutcliffe LLP and White & Case LLP. The report found that **in each of the countries surveyed, the vast majority of the children of asylum seekers in Israel would be eligible for permanent residency or citizenship as they turn 18**, and under some models, many of the children would have already received permanent residency by this point. Additionally, in the countries surveyed, children of asylum seekers have access to many more social and governmental services than they receive in Israel, even before they gain any form of long-term status. We intend to use our findings to push for increased rights for children of asylum seekers in Israel.

### 2.3 Changing Perceptions Among the Israeli Public

#### Promoting connections between Israelis and asylum seekers

This year, the Hotline continued our project aiming to bring together Israelis and asylum seekers through social events, allowing the two communities to get to know one another on a personal level, overcoming stereotypes and mutual suspicion. During 2020, **we hosted 6 in-person events prior to the Coronavirus crisis and 5 online events during the Coronavirus crisis. Over 200 people participated in the in-person events and thousands have viewed the videos of the online events.** Below are a sample of some of our favorite events from the year.

#### Life Seekers

In September, the Hotline premiered a new social media project entitled [מבקשי חיים](#) or Life Seekers. This project, modeled off Humans of New York, seeks to humanize asylum seekers in the eyes of the Israeli public by giving



them a medium through which to tell their stories in their own words. Throughout 2020, the page published 48 posts featured 9 asylum seekers living in Israel. The posts have organically reached up to over 3,900 people, and hundreds have engaged through likes, comments, and shares. The project is also on Instagram at @LifeSeekersIL.

### **Uncertain Status of Hope – a tribute to non-citizen women leaders**

On March 8, 2020, International Women's Day, the Hotline collaborated with Isha L-Isha, Haifa Feminist Center, to host an event honoring non-citizen women who are activists in their communities in Israel. The honorees were Sharon Austria, a Filipina activist working on behalf of children of migrant workers; Asmahan Jbale, an activist within the Palestinian community; and Asmait Mahartsion, a leader of the Eritrean asylum-seeking community. The honorees first spoke on a panel moderated by Dr. Ayelet Oz, and were then given awards for their service.

Each woman spoke eloquently about her work, with Mahartsion saying: "A lot of people in my community don't speak up about the issues from inside and outside the community. I don't stop talking or standing up for what I believe even when I'm told to shut up...I know I am doing the right thing when I talk about the difficulties in our community and the things that we need to change." Approximately 30 people attended this event, including Israelis, asylum seekers, Palestinians, migrant workers, and other foreigners. The event was shared on Facebook as well, allowing many others to watch it in the future as well.

### **Facebook live interviews with asylum seekers**

On May 7, 2020, the Hotline kicked off a new initiative of online interviews with asylum seekers, inspired by the restrictions on in-person meetings. We hosted the first interview with [Berhane Negasi](#), a leader in the asylum-seeking community in Jerusalem. In the video, Berhane discussed important issues related to the asylum-seeking community in the midst of the Coronavirus crisis. Multiple audience members also asked questions in the comments during the event. After the success of the first interview, we decided to host several more: we spoke with [Abdat Ismaeil](#), a leader of the asylum-seeking community in Be'er Sheva; with [Selam Mamusha Eshato](#), the daughter of asylum seekers from Eritrea and Ethiopia, and an artist who was featured in the "Other Name" exhibition; and with [Gamraddin Ali](#), a Sudanese asylum seeker who is a multi-media artist and published author. On September 24, we hosted a Hebrew-language [Facebook live](#) conversation between Darfuri asylum seeker Faisal Sadik and American-Israeli activist Elliot Vaisrub Glassenberg about the meaning of the Sukkot holiday. Several dozen people watched live, and since then the audience has grown to 3,200 viewers.



## **2.4 Assisting Potential New Asylum Seekers**

### **Monitoring new entrances from Lebanon**

In May, the Hotline located a Sudanese detainee who had recently entered Israel through the border with Lebanon. He was detained under the Anti-Infiltration Law, so we represented him in his release request. Afterwards, we spoke with him to learn more about his entrance from Lebanon. He told us there are other Sudanese nationals in Lebanon, and that they live in extreme poverty, which was further exacerbated by the Coronavirus. This information was corroborated further our [own research](#). We soon saw media reports of more attempted crossings. In the other incidents the media reported on, IDF soldiers forced the people back to Lebanon.



To further examine these "pushbacks" in relation to international law and commitments the State made in our 2007 Supreme Court case regarding pushbacks to Egypt, on May 13 **we sent a letter to the IDF and the Attorney General reminding them of their obligations from the 2007 court case, and requesting further information.** The next month, the IDF submitted their response, saying that all Sudanese are questioned regarding asylum claims at the border. Following this response, and as the phenomenon seems to have died down, we have decided not to submit a petition.

### **Outbreak of civil war in Ethiopia**

On November 4, Ethiopian Prime Minister Abiy Ahmed announced an offensive into the ethno-political region of Tigray in northeast Ethiopia. Since then, a civil war has waged in the country, resulting in unknown numbers of casualties. The tension has spread throughout the country, and while an internet lockdown has prevented outsiders from obtaining a clear picture into the situation in Ethiopia, it is clear that a humanitarian crisis is rapidly escalating. Therefore, the Hotline submitted a FOI request to learn more about the community of Ethiopian asylum seekers in Israel. **Today there are approximately 8,700 non-Jewish Ethiopians in Israel, of whom 771 have closed asylum applications and 565 have open applications.** We are working closely with our partner organizations and UNHCR Israel to determine the best way to assist and protect this community in light of the recent violence in Ethiopia.

## **3. Protecting Survivors of Human Trafficking**

### **Major changes in police recognition of trafficking and slavery survivors**

Under Israel's framework, created a decade ago following extensive advocacy by the Hotline, certain individuals may be formally recognized as survivors of human trafficking or slavery. This status entitles them to rehabilitative housing, a one-year work visa, and psychological as well as physical healthcare. These services are vitally important for survivors, whose physical and psychological states are often so poor that they are unable to provide for themselves or maintain stable housing. Only the Israeli Police Task Force on Human Trafficking can bestow this status, and recognition requires significant evidence that one is in fact a victim of human trafficking.

**Up to this year, this recognition procedure required "proving" one's victimhood to the sole police officer in the entire country who has the authority to confer this status.**

Victims were taken by force to police stations to be questioned by untrained officers, often re-traumatizing victims. The evidentiary threshold utilized by this officer was arbitrary, not made public, and unreasonably high, resulting in very few recognitions and a substantial proportion of wrongful non-recognitions each year. There were no clear criteria with which to judge if an individual was truly a victim or not, and no appeals mechanism. **Thus, this year, the Hotline undertook significant work to improve the State's mechanism for recognizing survivors of trafficking and slavery, and by the end of 2020, the process has completely transformed.**



**The first step we took was to legally challenge the arbitrary evidentiary threshold.** In 2019, the Hotline represented a Sudanese national who was systematically tortured and raped in Sinai, but was nevertheless rejected as a formal victim of human trafficking because the government did not accept the use of the internationally respected [Istanbul Protocol](#) as supporting evidence to his claims. We initially appealed the rejection to the Ministry of Justice, who dismissed our appeal on the grounds that there is no procedure for an internal appeal against wrongful non-recognition of a victim of human trafficking. Therefore, in January

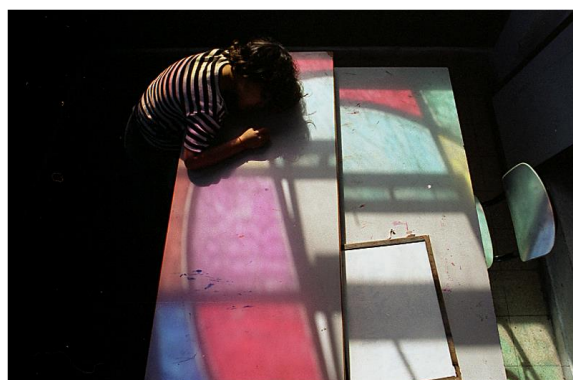
2020, we filed a petition to the High Court of Justice, appealing the police's decision not to recognize our client as a human trafficking victim. In the petition, we also requested that the State create standard criteria for recognizing trafficking and slavery victims, and establish an appeals mechanism for the Human Trafficking Unit's decisions.

**In early March, the police notified us that they had reconsidered our client's case and decided to recognize him as a trafficking survivor!** Since this recognition, the lawyer representing this client accompanied him to a shelter for trafficking victims, where he began his formal process of rehabilitation. **Two months later, the State committed to establish an appeals mechanism on rejection decisions and to create clear criteria for recognition.**

**The second step was to push for a reform in the way victims were questioned by the police as part of their recognition process.** In June, the Hotline together with the Association of Rape Crisis Centers in Israel and the Refugee Rights Clinic at Tel Aviv University, **sent a letter to the Minister of Internal Security regarding serious failures in police treatment of trafficking victims.** The letter described four specific cases, including a minor who was held in slavery-like conditions and was in visibly poor mental health when taken for questioning without warning (while wearing pajamas) and told she would not receive protection or rehabilitation until she provided police with the name of the person who trafficked her, and a woman who suffered severe sexual and physical violence by her husband and was taken for questioning in a police car, without warning, from the home she shares with her husband while he was present, and whom the police refused to transfer to a shelter.

Our letter noted that requiring cooperation with a police investigation as a condition for providing protection for trafficking victims contravenes Israeli law, government decisions, State obligations before the courts, [internationally-recognized guidelines](#) regarding investigations into human trafficking, and the police procedures themselves. The actions taken by the Police Task Force on Human Trafficking therefore not only endanger victims of trafficking, but hamper the actual investigation and obstruct the State's ability to trace trafficking networks and bring guilty parties to justice. Our letter included demands to make transfer to a shelter not contingent on participation with a police investigation, carry out questioning in a way that ensures victim protection in accordance with their rights under the [2001 Rights of Victims of Crime Law](#), and to investigate trafficking in a manner that allows victims to share their experiences gradually and during the context of therapeutic and rehabilitative support. **In October, we met with the Deputy Director General of the Ministry of Internal Security, who committed to transforming the way police questioning is handled.**

**The third step was to push for more resources and staff within the police to be put towards the fight against human trafficking and protection of victims.** In June, we sent a request to the Minister of Internal Security together with Kav LaOved arguing that the police do not investigate cases properly or effectively, and that the State must abide by its obligation to allocate officers with the authority to investigate trafficking and slavery at police units throughout the country. **Following our letter, the police committed in a Knesset hearing to add at least two more officers to the Police Task force on Human Trafficking, as well as to train the district units of the police on fighting human trafficking and set specific goals for each district unit on the number of trafficking investigations required.**



**In January 2021, the Police Task Force on Human Trafficking published a draft of the new procedure for requesting formal recognition for trafficking victims.** The new procedure marks a huge step toward protecting victims and includes a procedure for applying for recognition, strict rules as to how questioning of victims should be conducted, and a clear appeals mechanism.

## Participating in the implementation of Israel's five-year National Anti-Trafficking Plan

In 2020, the State began planning the implementation of the Five-Year National Plan to Combat Trafficking, adopted by the government in January 2019. Due to our history as champions of trafficking survivors' rights in Israel and close work alongside government offices handling trafficking, the Hotline was invited to participate in this process. **Through our participation in the prevention, prosecution, protection, research, and evidentiary threshold teams, we are literally shaping Israeli governmental policy and mechanisms for implementation of that policy.** This unprecedented opportunity has allowed us to bring a focus on protection of victims and their rights to Israel anti-trafficking policy, as well as to use our extensive knowledge to anticipate and prevent future errors in anti-trafficking policy.

In an interim meeting of the Directors General of several government offices, conducted in November, **the government committed to add more resources to the fight against human trafficking; to strengthen cooperation with NGOs, including the Hotline; to conduct research on the scope of human trafficking in Israel and the procedure for recognition of victims; and to provide diverse means of protection for victims in addition to existing shelters.** Final decisions regarding the implementation plan will be made once a new government is elected in the 2021 elections.

## Protecting the future of 27 non-Jewish Ethiopian women who fell victim to human trafficking

In 2010, a group of teenage girls from Ethiopia was kidnapped from Ethiopia and taken to Sudan and then onto the Sinai Peninsula before entering Israel in 2012. Throughout the entire journey the girls were violently tortured. Today, the women cannot return to Ethiopia due to the discrimination they will suffer there as victims of rape, and due to the devastating effect it will have on their rehabilitation. Due to the extreme humanitarian situation, in June **the Hotline sent an unconventional request to the Minister of Interior to provide special humanitarian status for this group of young women.** We also worked with a coalition of mainstream feminist groups to draft an additional letter to the Mol, sent by the Israel Women's Network, supporting our humanitarian request from a feminist lens.

In early September, [a prime-time video news report](#) was released on this case, generating massive public support. Following the piece, those who reached out to the Interior Minister's Office in support of our request included: the Minister of Labor and Welfare; the Chair of the Parliament Internal Affairs and Environment Committee; Rabbis and religious groups; and over 5,000 Israeli citizens. In October, Hotline staff and the women's social worker [participated in a Knesset Committee hearing](#) in the Subcommittee on the Fight Against



Trafficking in Women and Prostitution specifically on this matter. Following the committee hearing, Committee Chair Merav Michaeli spearheaded a letter to the Minister of the Interior in support of our request, signed by over 30 Knesset Members from both the governing coalition and opposition.

**On January 2021 we received the Ministry of the Interior's decision to provide the women with a one-year work visa!** This provides vital security for the women on a temporary basis, and we will continue representing them until they receive permanent status in Israel.

## Clients recognized as victims of trafficking

**This year, we submitted five clients for consideration to the Police Anti-Trafficking Unit to be recognized as trafficking victims, and four received this status.** Recognition comes with a one-year work visa, access to a rehabilitative shelter, and physical and mental healthcare, so gaining formally recognized status is

instrumental in a survivor's rehabilitation. Our clients who were recognized as trafficking victims this year include one Sudanese woman who fell victim to "bride-trafficking" as a teenager and multiple survivors of torture in the Sinai Peninsula. Two of the clients we submitted were requests for re-consideration who were previously wrongfully non-recognized as trafficking victims.

#### 4. Protecting Migrants' Rights

##### Granting residency status to a Filipino family under the 2010 government decision

Some of our oldest clients are a Filipino family we have been representing for over ten years in three different court proceedings. We argued that they should have gotten status under the 2010 decision granting residency in Israel for children who fulfill certain conditions and their parents. In September 2019 we received a decision from the Appeals Tribunal finally saying that the family would receive status in Israel, **and in early 2020 we went with the family to pick up their Israeli ID cards!** The children received permanent residency and the parents received temporary residency. **After ten years of work, it was thrilling to accompany our clients to pick up the documents that symbolize the beginning of their stable life in Israel.**



##### Fighting for the interests of a child raised by a foster family in Israel

This year, we took on the case of a young boy of foreign heritage, born in Israel, whose mother had status here. The boy's mother tragically passed away after giving birth and his father suffers from severe health issues and is incapable of raising his son. He has been brought up since birth by a loving family with stable status in Israel. In early 2020, the family attempted to regularize their status as a foster family with the Ministry of Welfare (MoW), shortly after which they were informed that instead, the MoI would investigate the possibility of initiating re-location procedures to deport the boy back to his mother's country of origin. In mid 2020 our Legal Department, supported by the team psychologically assisting the child, sent a letter to the MoW arguing that deportation would be a devastating outcome for him. We demanded that MoW officials act to stop the re-location procedures and recognize the family raising the boy as his official foster family. **Following our letter, the re-location procedures were halted, and the formal procedure for recognizing the family as a foster family was completed.**

##### The Procedure of the Inter-Ministerial Humanitarian Committee

In late 2020, the Interministerial Humanitarian Committee (the Humanitarian Committee) released a draft of its new procedure for handling humanitarian issues. The Humanitarian Committee has a broad mandate to manage a variety of humanitarian matters, and its authority touches asylum seekers, migrants, trafficking victims, and Israelis alike. Therefore, the Hotline's Legal Department submitted detailed comments on behalf of ourselves along with HIAS, IRAC, and ACRI. In our comments, **we addressed the main issues in the procedure that harm applicants' rights and make it difficult to submit humanitarian requests to the Committee.** On December 10, the MoI provided an extensive reply to our letter. The MoI amended the procedure in response to some of our comments, such as clarifying that an individual's visa granted under another procedure will not be revoked if that person's request under the Humanitarian Procedure is denied. We have filed an appeal together with our partner NGOs in regards to some of our concerns which were not solved in the MoI's response, including the ability to file a humanitarian request without holding a valid passport, a matter which is relevant to both asylum seekers and victims of human trafficking. The



Humanitarian Committee is a key tool for some migrants with irregular circumstances, and fighting to make it as responsible and victim-centered as possible will assist countless vulnerable individuals in the future.

## 5. Protecting Rights in Immigration Detention

### Efforts to improve immigration detention in Israel

Throughout 2020, the Hotline undertook various efforts to improve immigration detention in Israel, all focused on **upholding migrants' rights in detention to the maximum extent possible**. In late July, we participated in a roundtable with the head of the Administrative Tribunals, Michal Tzuk, and presented the main failures of the Detention Review Tribunal, following which Ms. Tzuk requested a private meeting with us to discuss the matter in more depth. Later in the year, when two new adjudicators joined the Detention Review Tribunal, we provided them with training in which we presented our position on the Tribunal's role in identifying phenomena such as human trafficking, prolonged detention, and other rights violations.

Later in the year, we shifted our focus to State-provided representation of asylum seekers and migrants, sending a detailed comment to the Public Defenders' Office in regards to special attention that should be given to the representation of criminal defendants who are asylum seekers, in light of the [Criminal Procedure](#), which allows asylum seekers to be held indefinitely in administrative detention following the completion of their criminal sentence. **We also requested that the Ministry of Justice create a policy of appointing State-funded legal representation for immigration detainees who are detained for long periods.**

Finally, on December 21, the Hotline in collaboration with ACRI sent a principal appeal to the Ministers of the Interior and Public Security, concerning Yahalom Detention Center within Ben Gurion Airport. We requested that the responsibility for operating and managing the facility be transferred from the Population and Immigration Authority to the Israeli Prison Services, which would increase the likelihood of rights being upheld in the currently flawed facility. Together, these moves were meant to strengthen overall capacity of Israel's detention system to uphold rights within migration detention.

### Publication of report on de facto stateless migrants in Israel

In late September, we published the report [No Way Out](#), about the prolonged detention of de facto stateless migrants in Israel. The research report, written by Adv. Menahem Kanafi, Israel's former Ambassador to Eritrea, discusses the painful reality of de facto stateless individuals who want to return to their countries of origin but are unable to prove their connection to their country because they lack documents proving citizenship. Thus, they fall into a never-ending cycle of imprisonment and release without rights, with no way to regulate their status. Often, the State treats these migrants as if they were not cooperating with their removal and presents them with two options: detention or deportation with Israeli travel documents that are not accepted in the countries of origin. This happened to Magi, who agreed to return to Guinea in 2015. When he arrived with Israeli documents, his entry was denied and he was put on a flight back to Israel. **The report proposes new and creative methods through which the State can help these migrants return to their countries and break the endless cycle of long-term detention.**



### Publication of the 2019 detention monitoring report

In the last quarter of 2020, we published our 2019 detention monitoring report, which reveals that PIBA violates High Court rulings and thus detainees' rights at the Yahalom facility inside Ben Gurion Airport. The

rooms are far smaller than requirements set by law and High Court rulings, **thus constituting major overcrowding**. Even with the close quarters, the rooms in Yahalom do not include closets, and detainees' personal belongings are stored in a separate luggage room—thus **cutting detainees off from the outside world through separation from their belongings and cell phones**. Despite Yahalom's own written procedure, detainees' testimonies to the Hotline indicate that anyone who is not extremely assertive in their requests is denied access to the public telephone during their detention. Finally, **detainees at Yahalom are barred from accessing the asylum system**: only 15 individuals who were refused entry to Israel submitted applications for asylum while being held in Yahalom. All 15 were represented by the Hotline for Refugees and Migrants, and would have been deported before they could present their allegations of persecution without the Hotline's intervention. The report also revealed the **prolonged detention of migrants with severe mental health issues**, held for long periods of time in preparation for (ultimately unsuccessful) deportation attempts. It paints a picture of a bleak situation in immigration detention, even with the decrease in numbers of migration detainees following the 2018 closure of Holot.

### **Detention releases after the peak of Coronavirus lockdown**

Following our major release spree in the first several weeks of the Coronavirus crisis, our work in detention continued. **In the second half of the year we released eight clients from detention**, all of whom were Eritrean asylum seekers held under the criminal procedure after the completion of criminal sentences for non-violent crimes. Beyond these, we continued our on-going efforts on behalf of two Guinean nationals who have been held in long-term detention. One of these is a man who has been detained for over three years now, who is willing to return to Guinea, but unwilling to fly with Israeli travel documents as he fears it will endanger him upon his return. This year, his case became a vicious cycle of failed deportation attempts, release requests, hearings in the Detention Review Tribunal, decisions that his refusal to fly with Israeli documents constitutes a "lack of cooperation," and rulings to keep him in detention. We are continuing to fight for this client, who has been suffering for years for no other reason than his desire to return home safely.

In the case of our other Guinean client, in 2017 we filed an appeal to the Supreme Court on his behalf, as he had been detained for ten and a half years despite his willingness to return to Guinea. Since 2017 the case has been pending in the Supreme Court, after it ruled that the State cannot return our client to detention as long as it has no way to deport him to Guinea. For years now the State has claimed that a Guinean delegation will come to Israel to complete his deportation. In July 2020, the State suddenly requested that the case be erased from Court and demanded that our client leave Israel by December 2020. The Court accepted our position that the State's request would entail returning our client to long-term detention, and asked the State to find a different solution. On August 11 the case was erased from Court with our consent, after we reached an agreement with the State attorneys in which our client will remain out of detention until the State finds a way to send him to Guinea. Until then, his visa will be renewed every three months and the MoI will have to receive approval from the Detention Review Tribunal before returning him to detention.



### **Pursuing justice for an asylum seeker sexually harassed by an officer in Givon**

In 2019, we took on a case of an asylum seeker in Givon Detention Center who was sexually harassed by a prison guard. We sent a complaint to the MoI on her behalf in August 2019, which was investigated, but in May 2020 we received word that the sexual harassment complaint would not result in an indictment. We requested a copy of the police investigation file to examine our client's legal options, as well as successfully requested that **the officer not be placed in Givon until our client exhausts her legal options**.

### **Habeas Corpus detention release appeal**

On April 14 we submitted a Habeas Corpus appeal to the Supreme Court on behalf of an Eritrean asylum seeker. Our client was held in administrative detention under the Criminal Procedure and received a release decision from the Detention Review Tribunal, despite which IPS refused to release him. IPS claimed that he had not actually finished serving his criminal sentence and that due to a complex regulation within the Criminal Procedure, he had been transferred to administrative detention by mistake. The Court accepted IPS's claim, but ruled that he would be immediately released upon completion of his criminal sentence, rather than being transferred again to administrative detention. He was subsequently released in June.

## **Organizational Development**

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### **New Legal Department Director**

In July we said goodbye to Attorney Tal Steiner, who has been the Hotline's Legal Department Director for the past three years. Ms. Steiner began her new role as the Executive Director of the Public Committee Against Torture, with whom the Hotline has collaborated on a number of matters, and was replaced by Attorney Inbar Barel. Ms. Barel has been a lawyer at the Hotline for the past three years, during which time she has written petitions such as that which successfully halted the attempted deportation to Congo and served as the Interim Legal Department Director during Ms. Steiner's maternity leave. Prior to joining the Hotline, Ms. Barel worked at the State Attorney's Office. She holds a Bachelor's Degree in law, Magna Cum Laude, from the College of Management Academic Studies and is currently pursuing a Master's Degree in Human Rights from the College of Management Academic Studies.