**USSD 2011 TIP Report about Israel**

[**https://2009-2017.state.gov/j/tip/rls/tiprpt/2011/164232.htm**](https://2009-2017.state.gov/j/tip/rls/tiprpt/2011/164232.htm)

**ISRAEL (Tier 2)**

Israel is a destination country for men and women subjected to forced labor and sex trafficking. Low-skilled workers from Thailand, China, Nepal, the Philippines, India, Sri Lanka, and, to a lesser extent, Romania, migrate voluntarily and legally to Israel for temporary contract labor in construction, agriculture, and home health care provision. Some, however, subsequently face conditions of forced labor, including through such practices as the unlawful withholding of passports, restrictions on movement, inability to change or otherwise choose one’s employer, nonpayment of wages, threats, sexual assault, and physical intimidation. Many labor recruitment agencies in source countries and in Israel require workers to pay recruitment fees typically ranging from $4,000 to $20,000 – a practice making workers highly vulnerable to trafficking or debt bondage once working in Israel. One NGO noted that recruitment fees increased in 2010.

According to the Ministry of Interior (MOI), an increased number of migrants (approximately 14,000) crossed into Israel in 2010 from the Sinai, compared with approximately 5,000 in 2009. Organized Bedouin groups kept many of these migrants captive in the Sinai; an unknown number of them were forced into sexual servitude or labor to build homes and serve as domestic workers. Some women from the former Soviet Union and China are subjected to forced prostitution in Israel, although the number of women affected has declined since the passage and implementation of Israel’s 2006 anti-trafficking bill. Chinese sex trafficking victims are forced into prostitution for male Chinese workers in Israel. In the past year, the government and the media reported that four South American women were forced into prostitution. According to an NGO and a media report, some Israeli women and girls are subjected to sex trafficking in Israel, but the police could not corroborate these allegations.

The Government of Israel does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Israel continued law enforcement actions against sex trafficking and continued to make strong prevention efforts. The government continued to take inadequate steps, however, to identify and protect labor trafficking victims and prosecute and convict labor trafficking offenders in the reporting period.

**Recommendations for Israel:**Significantly increase prosecutions, convictions, and punishment of labor trafficking offenders (including “employers”) and offenses; ensure that labor trafficking crimes are prosecuted under labor trafficking statutes; ensure trafficking victims are not penalized for unlawful acts committed as a direct result of being trafficked, such as immigration violations; continue to investigate the incidence of Israeli nationals subjected to forced prostitution; increase the number of labor inspectors and translators in the agriculture, construction, and homecare sectors, ensuring that they are adequately trained in identifying trafficking cases; eliminate “binding” and other restrictions on the ability of foreign workers to freely change employers within sectors; evaluate employers and recruitment agencies for histories or indicators of abusive practices before referring abused migrant workers to them for new employment; strengthen victim identification of migrants arriving from Sinai, and accord those trafficking victims full protections and medical treatment; enforce the prohibition to charge brokerage fees beyond the maximum amount allowed by Israeli law; and cease practice of immediately returning migrants back to Egypt (“hot returns”) without determining if they were trafficking victims in the Sinai.

**Prosecution**

The Government of Israel sustained its strong law enforcement progress against sex trafficking during the reporting period; it also made initial progress against labor trafficking, seen through the first prosecution under a labor trafficking statute involving a migrant worker. Israel prohibits all forms of human trafficking through its Anti-Trafficking Law of 2006, which prescribes penalties of up to 16 years’ imprisonment for trafficking of an adult, up to 20 years’ imprisonment for trafficking of a child, up to 16 years’ imprisonment for slavery, and up to seven years’ imprisonment for forced labor. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the year, the government did not record any convictions for labor trafficking under trafficking statutes. The government convicted seven sex traffickers under trafficking statutes, with sentencing ranging from six months’ community service to 8.5 years’ imprisonment with compensation to the victim of about $11,000. At least one of these cases is currently under appeal. Israel convicted six sex traffickers under non-trafficking statutes; these cases were prosecuted under trafficking statutes but the offense was changed during plea negotiations. Sentences imposed on these convicted offenders ranged from 24 months’ imprisonment with compensation to the victim of $8,000 to 7.5 years’ imprisonment. The government prosecuted two cases with three defendants for labor trafficking under trafficking statutes, one of which involved migrant workers from Thailand and the Philippines in the agriculture and homecare sectors. Eleven sex trafficking cases, with approximately 21 defendants, were prosecuted under trafficking statutes. Many of these prosecutions were ongoing from previous years. In the reporting period, the government investigated three individuals for labor trafficking and seven individuals for sex trafficking. One of these investigations stemmed from a complaint an NGO filed with police in May 2010 on behalf of a caregiver from Moldova who was forced to have sex with the employer’s young disabled son over a sustained period of time, experiencing threats and lack of freedom of movement. A Ministry of Welfare and Social Services employee had been aware of the situation of forced sex but did not intervene; the government launched an investigation of the employer, as well as a separate investigation of the Ministry worker.

NGOs continued to assert that the government focused on prosecutions of related offenses – which allow for smaller punishments – rather than the prosecutions of trafficking crimes. Police did not uncover cases where Israeli women were forced into prostitution during the reporting period. NGOs continued to report that the majority of alleged labor trafficking complaints were launched by NGOs, as opposed to by the government, and they also noted that there was insufficient funding and staffing for police enforcement, particularly in the field. The SAAR unit – which was established in 2009 to specialize in cases involving foreign workers, and includes a trafficking unit – confirmed that it relied largely on information from NGOs to investigate instances of alleged labor trafficking. The government continued to provide numerous classes, workshops, and seminars to train law enforcement officers, judicial officials, labor inspectors, and others on trafficking. For instance, the Institute of Legal Training for Attorneys and Advisors of the Ministry of Justice conducted a seminar on trafficking for state prosecutors, judges, and lawyers.

**Protection**

The Government of Israel continued to improve its protection of trafficking victims over the reporting period, although it lacked effective procedures to identify victims of labor trafficking, including migrant workers and migrants who entered from the Sinai. As a result, some unidentified victims were penalized for offenses or violations committed as part of their being trafficked. The government has a formal system of proactively identifying foreign sex trafficking victims among high-risk persons with whom they come in contact. In the reporting period, police did not identify any children or Israeli women forced into prostitution. During the reporting period, the government completed a study which, among other things, examined claims of internal sex trafficking. According to an NGO, Israel detained and deported some labor trafficking victims if they were undocumented and not identified as trafficking victims. Some alleged sex trafficking victims were also arrested and detained for their undocumented status. An NGO noted that some trafficking victims who entered Israel via the Sinai stayed in the Saharonim prison long after being recognized as trafficking victims. The government provided some training and workshops on victim identification to officials. For instance, in November 2010, all Population, Immigration, and Borders Authority inspectors enforcing certain foreign labor laws participated in a mandatory training program which included a segment on trafficking prevention and victim identification.

The government continued to run its 35-bed Maagan shelter for foreign female trafficking victims and the 35-bed Atlas shelter for foreign male trafficking victims, both of which were open and did not detain victims involuntarily. NGOs and international organizations claim that these shelters are insufficient to treat the scale of trafficking victims in Israel. The government referred 15 women to the Maagan shelter and 63 men to the Atlas shelter in 2010. As of December 2010, 20 women, 13 men, and six children were housed in the shelters. The shelter staff maintained contact with trafficking victims after they had left the shelter to assist them with long-term re-integration into Israeli society. The government continued to fund and supervise the shelters and its legal and medical services, allocating approximately $1.4 million in 2010 to fund an NGO’s operation of the Atlas and Maagan facilities. While these two shelters offer some job training, they were not geared for long-term treatment beyond one year. The Legal Aid Branch of the Ministry of Justice continued to enable victims to obtain restitution and provided representation to all victims free of charge. In cases handled by the Branch, however, traffickers were given lesser penalties than if they were sentenced in criminal proceedings. The government encouraged victims to assist in the investigation and prosecution of trafficking.

The MOI did not perform sufficient checks on referred employers and had sent some migrant workers, who had already experienced abuses in Israel, to work for other abusive employers – sometimes without their consent. Government officials noted that there were several allegations against particular police officers about mistreatment and abuse of foreign workers, some of whom may have been trafficking victims. During the year, the government issued several temporary B1 visas – unrestricted work visas – to trafficking victims, not contingent on their cooperation with law enforcement officials. While the government insisted that all requests for such B1 visas be approved by the Ministry of Interior, an NGO noted that some trafficking victims assisted in shelters during the reporting period – including those who entered via the Sinai – were not granted those visas. The government acknowledged the problem that no trafficking victims who entered via the Sinai received B1 visas, and officials began discussing how to rectify the situation.

NGOs and international organizations were critical of Israeli efforts to identify and protect trafficking victims among the migrants and refugees who entered via the Sinai, as well as the government’s continued practice of “hot returns” of asylum seekers back to Egypt without attempting to identify trafficking victims among them. According to international organizations and NGOs, immigration officials pressured some trafficking victims with disputed nationalities not to claim citizenship of Sudan or Eritrea, which would accord protection from deportation. As a result, these trafficking victims were not offered protection, including shelter and B1 visas. In August 2010, the Humanitarian Committee of the Ministry of Interior ruled that a sex trafficking victim was permitted to receive an A5 temporary residence visa for two years, after which period she could enter into the process to become a permanent resident, due to the special circumstances of her case – she was trafficked at the age of 15 by her father in 2001.

**Prevention**

The Israeli government made sustained progress in preventing trafficking in persons over the reporting period. In December 2010, the government held its third annual ceremony to present awards to individuals or organizations that made a significant contribution against human trafficking. The Knessset Subcommittee on Trafficking in Women met often during the reporting period, including via public hearings, to discuss ways to enhance governmental efforts to combat human trafficking. Inter-agency coordination on human trafficking was generally well-coordinated. The government opened several investigations and prosecutions, and obtained three convictions with sentences ranging from 15 to 50 months’ imprisonment, for illegal extraction of recruitment fees from foreign workers. The government revoked the license of one recruitment agency due to illegal fees taken from migrant workers recruited abroad. NGOs continued to criticize the lack of mobility of foreign workers within sectors and raised concerns over amendments to the Law of Entry passed in the Knesset in May 2011 that further bind foreign workers to sectors, employers, and geographic regions. NGOs assert that the binding of migrant workers creates vulnerability to human trafficking. As a continuation of last year’s efforts, the country’s national coordinator for human trafficking posted an annual summary of the Israeli government’s anti-trafficking efforts on the Internet. As in prior years, the Knesset held a meeting to discuss the 2010 TIP Report for Israel. The government continued to distribute a labor rights brochure to foreign workers arriving at Ben Gurion Airport. In November 2010, an amendment to the Foreign Workers Law was passed which authorizes inspectors to enter and inspect a private household where migrant workers are employed. Every Israeli citizen is registered in the Population Registry. Foreign workers are registered with their respective manpower agencies. The government opened 456 cases of managing a property for the purpose of engaging persons in prostitution and 27 cases of advertisement of prostitution services, in efforts to reduce the demand for commercial sex acts.