

HOTLINE for REFUGEES and MIGRANTS

ANNUAL REPORT 2013

2013

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January 1 – December 31, 2013

***"You shall not wrong a stranger or oppress him,
for you were strangers in the land of Egypt"***

Exodus 22:20



To see 2013 audited financial reports please go to our website www.hotline.org.il

* Thank you to Activestills, Tomer Appelbaum and Steven Winston Photography for contributing photos to this report.

HRM Executive Director Reut Michaeli with HRM client and African Refugee Development Center Executive Director Mutasim Ali during his hearing in the district court prior to being sent to 'Holot,' May 2014.



Introduction

Dear Friends of the Hotline for Refugees and Migrants,

2013 was a year of many ups and downs. The first half of the year was characterized by our struggle against the third amendment of the Anti-Infiltration Law. We had to cope with an entirely new situation but successfully managed to set a number of important precedents, which helped free the most vulnerable groups of asylum seekers – children and torture victims – from immigration detention.

It seemed like our struggle had paid off when the Anti-Infiltration Law was overturned with a unanimous Supreme Court decision in September. But our hopes that the government would take this opportunity to develop a rights-based asylum policy were crushed when a new amendment – arguably worse than what was before – was legislated only four months later. We are now confronting a very difficult situation in which thousands of refugees face indefinite detention in a so-called "residency center".

That said, the recent developments have brought the plight of asylum seekers in Israel to the forefront of the national debate and despite all the opposition by the government, we have also received a lot of support – by ordinary citizens, by donors, by lawmakers and the many men and women that volunteer for us.

In the past few years our organization has grown substantially. We now employ more than 15 staff, including three lawyers. In November, we said goodbye to our old name (Hotline for Migrant Workers) and became the Hotline for Refugees and Migrants. We strongly believe that this change better reflects our work, since our biggest client group today consists of refugees and asylum seekers. At the same time, we also introduced a new logo and completely overhauled our website. Have a look at the site, which includes a regular updated blog, at www.hotline.org.il.

With best wishes and many thanks to all our supporters,

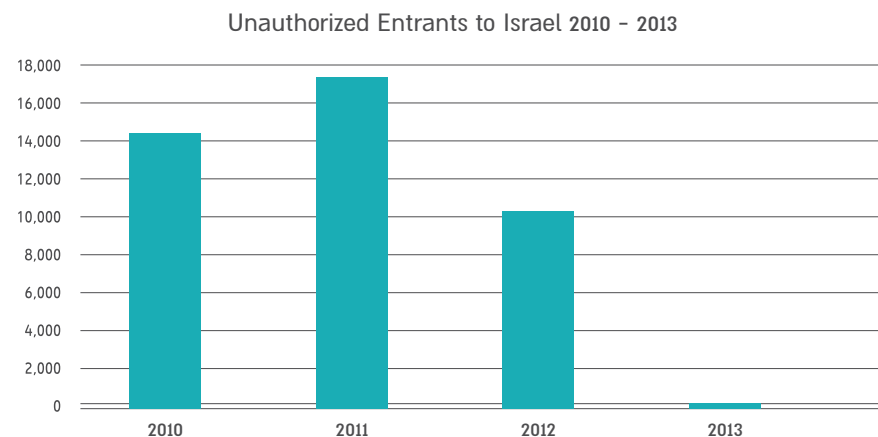
Reut Michaeli, Executive Director

I.

Developments in 2013

A. Refugees and Asylum Seekers

According to figures published by the Population and Immigration Authority (PIA), there were almost **53,000 asylum seekers**¹ residing in Israel at the end of 2013². The majority of them come from **Eritrea (68%)** and **Sudan (24%)**. In 2013 the number of unauthorized entrants to Israel via the Egyptian border dropped to a trickle, the lowest number since the PIA started to record and publish these numbers in 2006: Only 43 asylum seekers managed to cross the Israeli-Egyptian border during the year.



Data Source: Population and Immigration Authority

Entering Israel without authorization – the only option refugees fleeing war and persecution in their home countries have – has become virtually impossible due to the fortified fence built alongside the border and a coordinated push-back policy. Throughout the year, the HRM has been receiving testimonies from soldiers

¹ The PIA refers to them as "infiltrators" in its documents. Since the vast majority of these men, women and children flee from persecution in their home countries we call them "asylum seekers", even though there may be some that do not fit this description and do not intend to ask for asylum in Israel.

² <http://www.piba.gov.il/PublicationAndTender/ForeignWorkersStat/Documents/563343n80.pdf>

serving at the Israeli-Egyptian border who were ordered to guard asylum seekers who had managed to reach the fence until Egyptian forces came to arrest them.

But while the number of newcomers dropped so sharply, the government did not take this opportunity to find a sustainable solution for those asylum seekers already living in the country. Instead, it continued and intensified its campaign to press them to leave Israel "voluntarily".

Did you know?

The Eritrean government is one of the most restrictive in the world. According to the 2012 Human Rights Report of the US State Department it "severely restricted civil liberties [...]. Other abuses included killings; torture [...], arbitrary arrest; [...] detention of political prisoners [...], and limits on freedom of movement and travel." The vast majority of refugees in Israel are from Eritrea.

Law to Prevent Infiltration

Since June 2012, all asylum seekers entering Israel without a permit were detained under the third amendment of the **Anti-Infiltration Law**. According to this law, they could be held in **administrative detention** for three years, or even indefinitely if they were citizens of an "enemy state", such as Sudan. The Detention Review Tribunal was entitled to release detainees only under "exceptional circumstances" or if asylum requests were not examined within a certain time frame.

Whereas previously asylum seekers who could not be deported were released in a relatively timely manner, men, women and children were now detained under this law with no hope for release. Families were separated with the men detained in a different wing than women and children. In order to press for the release for especially vulnerable groups such as children and torture victims, the Hotline for Refugees and Migrants (HRM) had to go to court (see "Achievements" section below). At the same time, the HRM and several partner organizations petitioned the High Court for Justice to examine the constitutionality of the law.

From the verdict against the third amendment of the Anti-Infiltration Law written by Judge E. Arbel, Sept. 6, 2013:

"Limitation of the right to liberty is one of the most severe limitations that one can think of. Denying the freedom of the infiltrators by imprisoning them for a long period is a critical and disproportionate limitation of their rights, their bodies and their souls. [...] We cannot deny fundamental basic rights and at the same time coarsely limit human dignity and liberty in the framework of a solution to a problem that requires a fitting comprehensive political solution."

On September 16, the High Court judges issued a unanimous verdict and **struck down the Anti-Infiltration Law**. The State was ordered to release everyone eligible for release under the Entry to Israel Law, which was now again applicable, within three months.

However, this is not what happened. While less than half of the 1,500 detainees were slowly released (including all women), the government was busy promoting new legislation. On December 10, just days before the deadline to release everyone was up, **a new amendment to the Anti-Infiltration Law was passed in parliament**.

Under this amendment, detention in immigration detention is restricted to one year. However, other aspects of the new legislation are even worse than the previous version. Now, release from detention does not actually mean release to freedom. Instead, asylum seekers can be imprisoned in what the State calls a "residency center" without time limitations.

they detain us in jail for about 2 years. but we are asylum seekers. we are not criminals. we did not commit any guilty. after a long suffering 2 years in jail in Sahronim we heard that anad decision from higher court, which says with in 90 days the release of every body from Sahronim. but the immigration - Authorities they release some of us to the country some of us they transfer us to a new prison holot some of us still remained in Sahronim.

The Holot "residency center", which is located in close proximity to the Saharonim immigration detention facility, was built in 2012 and currently has room for 3,300 persons. It was opened on December 12, 2013 when the first 480 detainees from Saharonim, all of which had been detained under the Anti-Infiltration Law for over a year, were transferred there. According to the fourth amendment of the Anti-Infiltration Law Holot is an "open" facility and not a prison. But in reality, the movement of its "residents" is severely restricted since they have to report to a roll call at the facility three times a day and also have to spend the night there.

Moreover, the remote location in the Negev Desert with little public transportation means that leaving for significant amounts of time is almost impossible. Since Holot is not considered a prison, there is no judicial oversight and there is no means to request release other than by going to court.

There are also serious problems with **the conditions at Holot**, including substandard food and inadequate medical assistance. There are no educational

facilities, and detainees are restricted from bringing a myriad of items into the area, including food. But the most worrisome aspect is that detainees (for the moment only single men are detained here) have no hope at all.

Unless they agree to leave Israel, they are stuck in Holot for the foreseeable future. In a letter to the authorities written by five asylum seekers in December 2013, they describe their desperate situation:

"Holot is the same as Sahronim. Only the name changed but if you see the situation in Holot you will realize it's a prison – we need to sign three times in a day. The administrators in Holot said, if you want to go outside ask for permission, but if you ask them they don't allow you to. Holot is not a place where we can have a free life."



March on Jerusalem

Many of the men transferred from Saharonim to Holot in December 2013 had been detained for much more than a year already. When they understood that they would still not be set free despite the Supreme Court ruling against the Anti-Infiltration Law, they decided to protest. On December 15, a group of about 150 men left Holot and **marched towards Jerusalem** where they held a demonstration in front of the Knesset on December 17. They were joined by human rights activists and other refugees. In the end, the immigration officers broke up the demonstration and arrested all the men that had left Holot. Those who had been absent for more than 48 hours were returned to Saharonim for three months. There, they staged a hunger strike. But their struggle did not lead to any changes and eventually some of the Sudanese men engaged in the protest cracked and agreed to return to Sudan despite the danger that they might face there.

Nevertheless, the **"Freedom March"** inspired a mass protest movement in the refugee community in Israel, which gained momentum in early 2014 and received worldwide coverage. However, the Israeli government remained unmoved by the desperation of the refugees.

"Protests and strikes won't help. As we were able to stem the illegal infiltration of our borders, we are steadfast in our commitment to expel those who entered before we closed the border."

Israeli Prime Minister Benjamin Netanyahu about the refugees' demonstrations, January 7, 2014

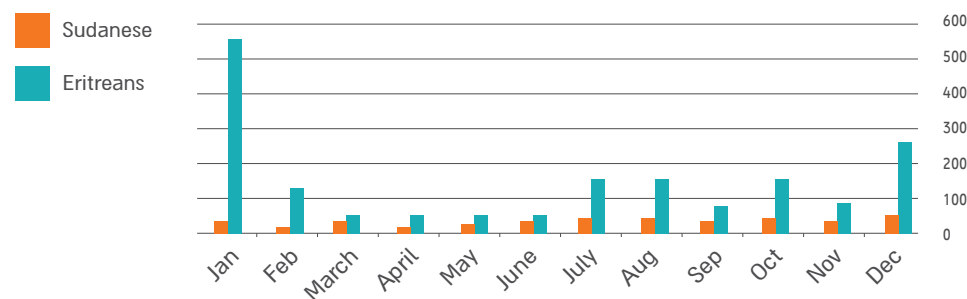


HRM Tigrinya translator Gabriel Tekle talking to participants on a South Tel Aviv tour.

"Voluntary" Returns

In 2013 the Israeli government stepped up its efforts to press asylum seekers to leave Israel without deporting them by force. Pressure was applied especially aggressively on detainees in Saharonim and Holot. But when indefinite detention is the only alternative these returns can hardly be called "voluntary", even when a monetary incentive was added. Several times during the year the government announced that agreements with "third countries", rumored to be Uganda, had been signed to take in asylum seekers from Israel. Ugandan officials have denied this on several occasions. Nevertheless, in March the first Eritrean asylum seeker, to the best of our knowledge, was flown to Uganda via Egypt. There, the authorities denied him entrance and deported him back to Cairo, where he was detained, and threatened with deportation to Eritrea. After talking to him by phone while he was in Egypt, the HRM lost touch and has not heard from him ever since. This deportation resulted in intensive media coverage, which the HRM facilitated, and as a consequence the Attorney General issued a statement prohibiting all deportations of Eritreans, be they "voluntary" or not. But even in the following weeks, according to data published by the PIA, Eritreans were flown out of Israel. In July, the Attorney General announced that "voluntary returns" could resume since the MoI had implemented a number of measures to ensure their voluntary nature, none of which are considered adequate by human rights organizations, nor compatible with the UNHCR guidelines on Voluntary Repatriation³.

Eritreans and Sudanese leaving under the "voluntary return" program in 2013



Data Source: Population and Immigration Authority

³ <http://www.unhcr.org/3bfe68d32.html>

In the following months, the authorities continued to pressure Eritrean and especially Sudanese asylum seekers to leave. Detainees at Saharonim were told explicitly by Ministry of Interior (MoI) officials that Israel does not recognize refugees and that the Sudanese would be detained for life. After a hunger strike failed to bring any improvements to the detainees at Saharonim, at least 14 Eritreans were flown to Eritrea in July. Since then, the numbers of those leaving Israel slowly but steadily rose. In total, 2,612 African asylum seekers left Israel under the "voluntary return" program in 2013 – 65% of them Sudanese and 10% Eritreans.

A clients' story - Tom*, 27, from Eritrea

Tom ran away from Eritrea after he escaped from a police truck. But he ended up spending almost two years in detention in Israel instead.

A young, ambitious man, Tom was forced to become a teacher without pay immediately after finishing his university degree in media and technology in Asmara, the capital of Eritrea. "In our country there is no democracy, the government is a dictatorship, we cannot move freely or work for ourselves", he told HRM staff during a meeting in the Saharonim immigration detention facility. When a student of his was arrested for trying to run away to Ethiopia, he was accused of helping him and arrested as well. Tom managed to flee and arrived in Israel in January of 2012. As an Eritrean who could not be deported he was supposed to be released immediately but had to stay in prison because he was suffering from tuberculosis. By the time he had regained health, the law had changed and he was now detained under the Anti-Infiltration Law. His mental state got progressively worse as his hopes for release dwindled. An asylum request he submitted was never answered and efforts to release him due to flaws in the administrative process were turned down.

Then, finally, the Anti-Infiltration Law was overturned in September. Yet many months passed and Tom was still not released. In November, the HRM submitted another request for release on his behalf considering his difficult psychological state and the fact that he had been detained for almost two years by now. Tom was finally released shortly afterwards – unlike many of his fellow detainees who were directly transferred to Holot and remain there to this day.

*Name has been changed to protect the clients' privacy.



The Refugee Status Determination Process

For years, Eritreans and Sudanese – the vast majority of asylum seekers in Israel – were prevented from applying for individual asylum. Instead, they were (and still are) subject to a group-based non-removal policy which prevented their deportation but did not bestow them with any other rights, including the right to work. Only since the beginning of 2013 did Eritreans and Sudanese in detention have access to the asylum system, though assistance is often essential to navigate the complicated process. Between September 2012 and September 2013 the HRM assisted 320 detainees to file their asylum requests. Those outside of detention were permitted to submit asylum request since early 2013 (though there was never any official announcement regarding this change in policy). However, only a very small amount of the asylum requests submitted were examined.

Did you know?

According to information given by the State during a Supreme Court hearing on the petition to overturn the fourth amendment to the Anti-Infiltration Law in March 2014, only 30% of the 1,468 asylum requests submitted by Eritrean nationals had been examined and only 2 had been approved. Of 1,373 asylum requests by Sudanese nationals only 9 had been examined and every single one had been rejected.

In May 2013 the HRM received the first rejection of an asylum request by an Eritrean client. The rejection clearly stated that desertion from the Eritrean army does "not constitute a foundation for refugee status." During the following months, dozens of similar rejection letters, often identical word by word, were issued.

Sheila B. Keetharuth, United Nations Special Rapporteur on the situation of human rights in Eritrea, March 31, 2014:

"National Service dominates life in Eritrea entirely. [...] The main reasons spurring Eritreans to flee their country are linked to the indefinite national service and the constant fear of being targeted. [...] In addition to regular round-ups by the military, citizens are targeted arbitrarily for reasons that remain mostly unknown to the victims or beyond their control, or at times on charges of 'plotting to leave the country'. [...] I reiterate my call on the international community to strengthen efforts to ensure the protection of those fleeing from Eritrea by granting at least temporary refuge or protection."

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14465&LangID=E>

However, running away from the Eritrean army, which functions more like a slave labor camp than defense forces, is one of the main reasons for the mass exodus from Eritrea (more than 300,000 Eritreans were living outside of Eritrea as refugees or asylum seekers in 2012⁴, and hundreds of thousands more have already turned to citizens of their host countries in the past decades). In its Guidelines on International Protection, the UN High Commissioner for Refugees clearly states that "where the conditions of State military service are so harsh as to amount to persecution the need for international protection would arise. This would be the case, for instance, where the terms or conditions of military service amount to torture or other cruel or inhuman treatment, violate the right to security and integrity of person, or involve forced or compulsory labor, or forms of slavery or servitude"⁵.

MAJOR ACHIEVEMENTS

All Eritrean children freed from immigration detention

In order to release vulnerable groups from detention under the third amendment of the Anti-Infiltration Law, the HRM had to go to court to set precedents which would lead to the release of others. Our most pressing task was to free children from detention at Saharonim. In May, we succeeded when a court order was issued to release our client, an Eritrean mother and her two daughters, who had been in prison for 10 months. The judge agreed with our petition that being a child alone should constitute "humanitarian grounds" for release as prolonged detention may harm the children's well-being.

A week later, all other Eritrean children and their mothers – 19 individuals – were released from Saharonim – but only after we requested their immediate release.

Court orders release of asylum seeker

Release under the third amendment of the Anti-Infiltration Law was possible only under very few circumstances. But even the instances detailed in the law did not lead to automatic release but required lengthy legal intervention. According to the law, a failure of the authorities to open the examination of an asylum request

⁴ See UNHCR Statistical Yearbook 2012, Annexes pg. 74

⁵ Guidelines on International Protection No. 10: Claims to Refugee Status related to Military Service within the context of Article 1A (2) of the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees, 3 December 2013, HCR/GIP/13/10, pg. 8, available at: <http://www.refworld.org/docid/529ee33b4.html>

within three months after submission warranted release of the asylum seeker from immigration detention. In reality, many of our clients in Saharonim had to wait many more months until their requests were opened. The Mol claimed that asylum requests filed by the HRM before official forms were made available were not sufficient

In order to set a precedent, the HRM petitioned court in one of these cases and in May the court ruled in our favor and ordered to release the client. On the basis of this ruling we were able to facilitate the release of another individual in the same situation. Similarly, we also were able to release 16 detainees whose asylum requests had not been answered for much more than the 9 months allowed by the law.

Supreme Court victory: Torture victims eligible for release on humanitarian grounds

In our quest to release vulnerable groups detained under the Anti-Infiltration Law, the HRM petitioned court to request release on humanitarian grounds for a client who had endured severe torture in the Sinai.

The judge ruled that torture in Sinai could not be considered an "exceptional humanitarian reason" because it occurs so often that it is actually the norm. The judge also claimed that a positive ruling would encourage detainees to self-harm in order to fake torture and be released.

The HRM appealed this cynical ruling in the Supreme Court, which overturned the verdict in April and stated that torture could indeed warrant release if detention would harm the detainee's mental and physical health. Our client was then released.

Subsequently, we used this precedent to facilitate the release of many other detainees who had experienced torture on their way to Israel in the Sinai torture camps. In total, we submitted 46 requests for release on behalf of torture victims, of which 37 were granted – but almost all of them only after the Anti-Infiltration Law was overturned.

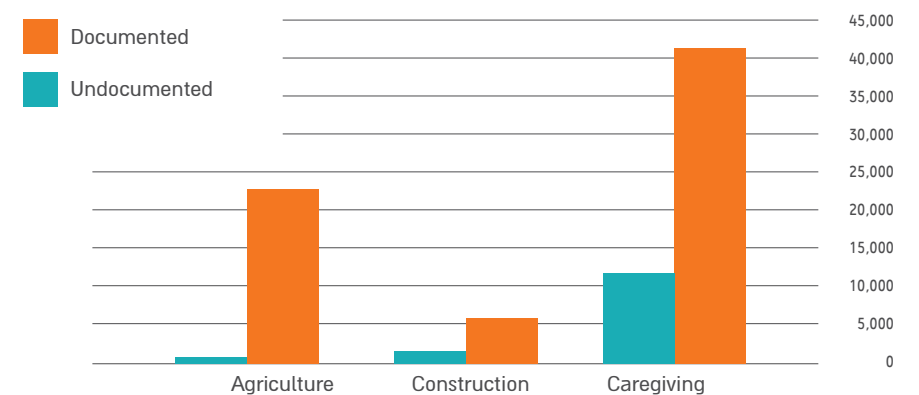
Deportation proceedings against Ethiopian citizen stopped

The HRM represented a client from Ethiopia whose wife applied for asylum in Israel and is still waiting for an answer. We argued that he cannot be deported as long as his wife is an asylum seeker in Israel and that he should be released from immigration detention. The court agreed in its verdict in December 2013 and instructed the Mol to examine the status of their relationship. The issue of his release will be decided once their status as husband and wife has been confirmed.

B. Migrant Workers and Undocumented Migrants

According to government statistics, there were 71,352 migrant workers in Israel at the end of 2013⁶, who were invited to Israel to work in certain fields. In addition, there were 15,366 undocumented migrant workers, most of whom had lost their work permits due to restrictions imposed by the State, such as a time limit on work in Israel.

Number of Migrant Workers in Israel 2013 According to Field of Employment



Data Source: Population and Immigration Authority

Children of Migrant Workers

In 2010 the government for the second time⁷ enabled undocumented children of migrant workers⁸ who met certain criteria to apply for legal status. This process dragged on for three years, during which about 100 children were rejected and 350 were approved. In February 2014 the Minister of the Interior Gideon Saar finally announced that all 221 children whose applications were still pending would receive legal status.

⁶ <http://www.piba.gov.il/PublicationAndTender/ForeignWorkersStat/Documents/563343n80.pdf>

⁷ The first government decision of this kind was made in 2006.

⁸ Even children born to legal migrant workers in Israel are not eligible for status in the country.



A protester stands outside of a detention center with a sign from HRM's campaign against the Anti-Infiltration Law prior to the Knesset elections in February 2013. The sign reads "Hell in the South. Stop the Detention of Refugees Now"

This does not include the appeals of children originally rejected who are represented by the HRM. 14 of these families received a positive answer in July and August 2013, while 13 cases were still pending at the end of 2013.

Child Detention

By the end of 2013, no asylum seeking children were held in detention for the time being. After a landmark ruling resulting from the HRM's legal action in May 2013, all Eritrean⁹ children were released from detention. Under the fourth amendment of the Anti-Infiltration Law, women, children and families are currently exempt from detention at Holot. A decision by the Interior Committee is needed to enable detention of children at the facility.

Other children, including children of migrant workers awaiting deportation, continued to be held in detention.

Throughout 2013, the HRM and Israeli Children (IC) submitted official formal requests under the Freedom of Information Law to the MoI asking for information regarding the detention facility Yahalom (the airport facility), where migrant families are detained before deportation, sometimes for weeks and even months.

After several inquiries, we received the internal monitoring reports regarding the facility which confirmed information that we had gathered from testimonies of former detainees: That detainees do not have regular access to a yard, that children are held here for pro-longed times even though the MoI had claimed that they are transferred to more suitable facilities, that food is often substandard and that many detainees never meet a social worker.

Did you know?

In a survey the HRM and partner NGOs conducted amongst children and their parents who had been detained in Israeli immigration detention, we found that the responses of 83% of children over the age of 12 and their parents indicated post-trauma at high to severe levels.

These findings were presented to parliament members and other stakeholders and our pressure resulted in the hiring of social workers who are now present at the facility at all times. In addition, the MoI also appointed a semi-independent lawyer, who has the duty to monitor the situation in Yahalom.

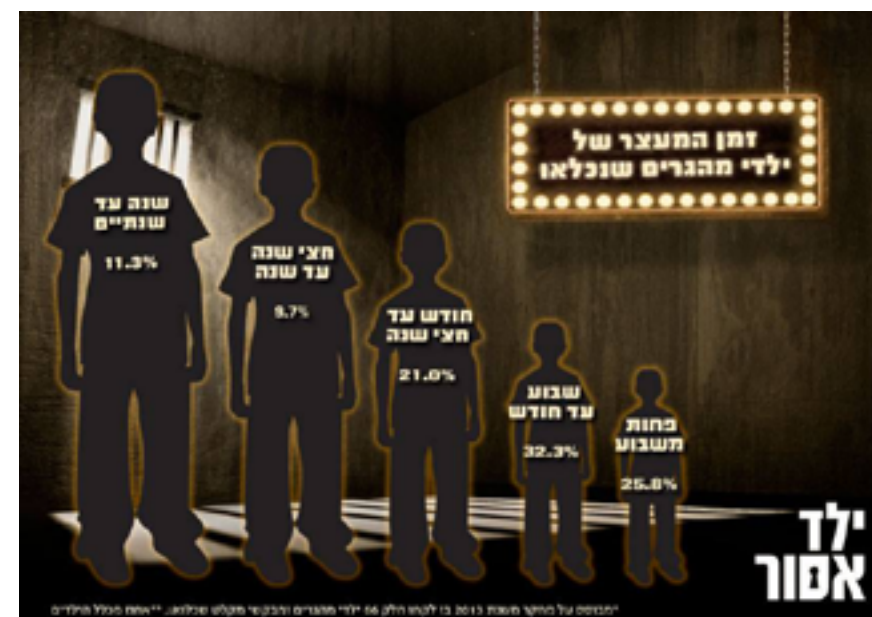
Following intense lobby activities by the HRM and partner organizations, the UN Committee on the Rights of the Child criticized Israel for holding migrant children

⁹ The vast majority of asylum seekers in Israel are from Eritrea.

behind bars in its concluding observations on the periodic reports of Israel in July 2013¹⁰.

Campaign to End Child Detention

In the framework of a project funded by the European Union, the HRM and our partner organizations Israeli Children and Physicians for Human Rights Israel launched a campaign to draw attention to the detention of migrant children in Israel in November. The campaign consisted of a video, which was distributed on social media and the participating organizations' websites, as well as a special webpage and a facebook page, which reached more than 16,000 followers.



Infographic from HRM's End Child Detention campaign showing how long migrant children are kept in detention. 25.8% of children spend less than a week, whilst 11.3% spend 1-2 years in detention.

¹⁰ For the full report see <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-ISR-CO-2-4.pdf>.

Birth certificates for Undocumented Migrant Children

Contrary to its own regulations and the UN Convention on the Rights of the Child, the Ministry of the Interior distributed a directive in 2011, in which the Population and Immigration Authority was instructed not to include the father's details on birth certificates issued to children of undocumented migrants. This in turn also means that the children cannot take the father's last name. In addition, the parents are forced to sign a document that attests to their "illegal presence" in Israel. To end this practice, the HMW and partner organizations submitted a petition to Supreme Court in February 2013, which is still pending.

A clients' story - Yun*, an undocumented migrant from China

Yun came to Israel from China to be with her husband, who worked in Israel legally in construction. Because Israeli policy prevents migrant couples from living in the country together, Yun stayed in Israel without authorization. In her hopes to be able to stay longer, she became part of a fraudulent scheme, in which a lawyer had undocumented migrants sign a fake loan agreement. He then requested an injunction against their deportation on the grounds that they have to pay debts in Israel. This scheme may have worked for dozens of migrants who paid large sums for the lawyer's "services", but when Yun was arrested it worked to her detriment. Yun actually agreed to return to China but was told she could not be deported because of her (fake!) debts – instead she would have to stay in jail until she would pay the debts.

A friend turned to us for help in May 2013. It took us a while until we understood the workings of the scheme and we then tried to contact the lawyer in order to cancel the injunction. Later, we discovered that the injunction had already been cancelled but the Mol knew nothing about it. The authorities now set a date for Yun's deportation only to discover that the same lawyer had obtained another injunction. Since the authorities themselves seemed to have no interest in looking into this matter, we continued to pursue the lawyer and once he understood that we had knowledge of the working of his scheme, he cancelled the injunction against Yun's deportation.

Yun flew home to China after three months in detention. The Mol and the police, who were informed about the affair by the HRM, have not initiated an investigation.

*Name has been changed to protect the clients' privacy.

MAJOR ACHIEVEMENTS

Release of mothers with children in foster care

In two cases the HRM represented women – one from South Sudan and the other from Moldova – who were arrested despite the fact that they could not be deported because some of their children were living with foster families in Israel. The South Sudanese client was detained with three of her other children for almost five months. In both cases HRM legal action resulted in the release of the mothers (and the children) from immigration detention.

Thai migrant worker released from prison

One of our clients, a Thai agricultural worker, was arrested after his employer failed to renew his visa. The employer fired him and immediately informed the Population and Immigration Authority which arrested and detained him disregarding his right to find a new employer. The HRM facilitated his release from immigration detention and organized a new employer for him.

Release for West Africans

The HRM represented a number of undocumented migrants from Western Africa, mainly Guinea, who were not released from detention despite the fact that they had already been detained for more than a year. The State argued that deportation proceedings were underway. However, deportation to Guinea and other countries is complicated by a lack of diplomatic relations with Israel and proceedings can take years. We therefore requested their release on the grounds of prolonged detention despite cooperation with the deportation proceedings. In December, we released 21 individuals, some of whom had been in detention for more than two years. Many more followed in the following months.

Student visas for Guinean citizens

In a case which has been pending since 2008, we finally received a verdict in December: Two young Guineans, who had arrived in Israel as unaccompanied minors, received temporary legal status in order to finish their university education in Israel. They had come to Israel in 2006 to seek work but were essentially trafficking victims as they had not known where they were brought, that their work would be illegal or what it would entail. As unaccompanied minors they were entitled to enrollment in a boarding school where one of them excelled in his studies and soon continued on to college. We petitioned on their behalf in 2008 when deportation proceedings against them started. According to the verdict,

they will now be safe from deportation until completion of their studies.

Immigration police officer indicted for extorting migrants

In February 2013 two Indian migrant workers arrived at the HRM offices to report on an immigration police officer. The two women reported that they had paid thousands of dollars to the officer and an accomplice after they promised that the women would receive work permits for their relatives in India. But when the women demanded their money back, they were threatened that they would lose their own visas if they would not stop complaining. The HRM reported these complaints to the police which then opened an investigation. Subsequently, the officer and his accomplice were indicted. The officer, who also had additional victims, is being charged with extortion, fraud and breach of trust, accepting bribes, and making threats, aggravated battery, unjustified confinement, fraudulent receipt of goods and indecent acts.

We see this indictment as an important step to eradicate corruption and violence in the police units in charge of dealing with migrants.



The sign reads 'Racism is a Crime'

C. Human Trafficking

Since the influx of asylum seekers to Israel almost came to a complete stop in 2013, fewer and fewer victims of the Sinai torture camps reached Israel. According to reports by human rights organizations abroad, the atrocities – refugees, mainly from Eritrea, are being held and tortured in Sinai to obtain ransom money from their relatives – continue and even have moved to other locations such as Libya. In Israel, about 200 of the victims are recognized as trafficking victims and enjoy special protection, but others remain in jail and in Holot because there are no special provisions for victims of torture.

Those recognized as trafficking victims receive a place in a shelter (if there is room) and rehabilitation measures. However, until recently (see achievements below) they still were treated differently than other victims of trafficking in persons: They did not receive an official rehabilitation visa. Instead, they were given a paper slip issued by the shelter, which stated that they are allowed to work. But this paper, as opposed to a visa, did not serve as an ID and therefore could not be used when opening a bank account and renting an apartment. Employers often also did not recognize it as a work permit.

A clients' story - Isak*, a victim of torture in Sinai

When we met Isak in Saharonim prison in January 2013, he was in a very difficult mental state, plagued by the memories of what he had endured in one of the notorious Sinai torture camps. We were certain that his mental and physical health would deteriorate rapidly in continued detention. But our efforts to free him dragged on for ten months.

The young man had never meant to come to Israel. He had fled his native Eritrea to Sudan where he was kidnapped and brought to Sinai. He was tortured there for a year until his family sold all their property and paid off his torturers. "They forced us to stand with our hands up all day long. Sometimes they turned us around so that our feet were in the air and our hands on the ground. We did not have food and water. The hunger was very hard," Isak told us. Only much later did he confide in us that he had also endured sexual assaults.

In Israel, our first request for his release on humanitarian grounds was turned down. Shortly thereafter, a precedent-setting verdict obtained by the HRM determined that torture victims should undergo psychological evaluation and be set free if detention harmed their mental health. But instead of sending Isak to a professional psychologist, a social worker determined that he was perfectly fine. Despite a Detention Review Tribunal judge's order to conduct an evaluation, the Prison Authority did not provide one. Isak did receive medication from a psychiatrist but requests to return for additional

treatments were ignored. In the mean time, the Anti-Infiltration Law was overturned. This enabled us to request his release on humanitarian grounds again – which was finally granted on November 13, 2013 – almost ten months after our initial request.

*Name has been changed to protect the clients' privacy.

The Sailor Scheme

Since 2010, the HRM has been aware of a scheme employed by a company working in Ashdod port, which brings migrant workers to Israel by presenting them as seamen on special sailor permits meant for sailors temporarily on port in Israel. The workers were then employed under extremely abusive conditions as fishermen. The HRM has alerted the authorities to this scheme on several occasions and has pointed to the responsibility of the State when it lets workers enter on these permits via an airport even though they are meant for sailors on a ship. The police started an investigation but closed it even though at least eight of the workers were freed by the police and received placement in a shelter for trafficking victims.

Now, the company adapted to the scrutiny of the authorities and ceased bringing workers directly to Israel. Instead, at least three workers were brought to Cyprus, from where they were picked up by an Israeli vessel and worked in Israeli waters. Once a day they went to port in Ashdod harbor in Israel, where they could enter on sailor permits.

The three men from Thailand worked on a small fishing boat under extremely difficult conditions, including a seven-day work week, insufficient sleep and food, and a lack of washing facilities and work clothes.

After 6 weeks, the three workers were brought back to Cyprus where their boat picked up cigarettes to be smuggled to Israel. They were caught by the Israeli coast guard and arrested.

The tax authority then decided that the workers should be witnesses in the proceedings against their employer for smuggling. But instead of providing them with witness visas, they were detained at the Airport Immigration Detention Facility for three months.

After being notified of this situation by the Thai embassy, the HRM facilitated the release of the three men and represented them in court to sue for damages from the employer (\$1,540 were awarded to each of the men).

The authorities have not continued their investigation into the scheme. The HRM is planning to publish a report on this issue in 2014.

MAJOR ACHIEVEMENTS

B1 visas for Sinai trafficking victims

As opposed to other trafficking victims, victims of Sinai torture camps who have been recognized as trafficking victims by the Israeli State did not receive B1 visas (which include a work permit). After intensive lobbying by the HRM, the MoI announced on July 22 in a meeting of the Knesset Sub-Committee on Trafficking in Women, which was attended by the HRM, that all Sinai victims who have been recognized would receive B1 visas, which they did shortly afterwards.

Repatriation to Ukraine

One of our clients was recognized as a victim of sex trafficking long ago, however, all attempts at rehabilitation failed. At the initiative of her family it was suggested that she should return to Ukraine where they would be able to support her. Accordingly, we arranged for her organized return including a stipend and a rehabilitation framework in Ukraine. The client returned in October.

Information to be available in prison

The HRM has not had free access to immigration detention for years. This means that we can only meet clients after an official request has been made. We cannot approach random detainees and ask them if they need help. This has severely impacted our ability to identify victims of trafficking. After lengthy discussions, we have finally received permission from the Prison Authority to at least put up posters in immigration detention to alert detainees to the possibility to turn to us.

II. Activities in Numbers

Direct Assistance

Staffed by two full time employees, two translators and up to four National Service Volunteers, the HRM's Crisis Intervention Center provides legal advice, general information and para-legal assistance to our clients. Our offices are open for consultation for 22 hours per week on a schedule spread across 5 days. In particular, HRM staff intervenes with the authorities on behalf of our clients in order to facilitate their release from immigration detention, assist them in obtaining legal status or extending visas, ensure their access to the asylum system and help them realize their social rights.

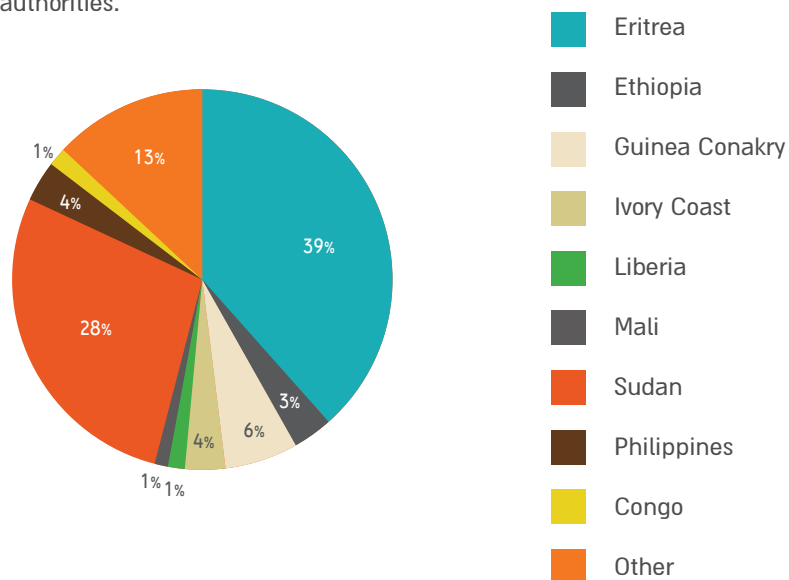
Direct Assistance in Numbers:

370 migrant workers received assistance.

1,733 asylum seekers/refugees received assistance.

20% of our clients were women.

Our clients came from 60 different countries, the biggest group from Eritrea (39%). We conducted 2,062 interventions on behalf of our clients, including requests to the Prison Authorities and the Interior Ministry, representation in the Detention Review Tribunal and letters and complaints to various other authorities.



Visits to Detention Facilities

The HRM is the only Israeli NGO with access to immigration detention. This means that our staff is the "life line" to the outside world for many of the detainees. We are the only ones that provide them with information about their legal situation, their rights and their options. As most detainees cannot afford private lawyers, we are often also the only ones to provide them with assistance.

In total, our staff visited the various immigration detention facilities 163 times in 2013, during which we provided more than 1,600 consultations. More than 90% of our clients in detention were asylum seekers.

Detention Facility	Visits in 2012	Visits in 2013
Givon	126	25
Saharonim	62	101
Kziot	20	28
Eshel	8	2
Haela	6	2
Dekel	1	2
Matan	2	-
Holot	-	3
Total Number of Visits	225	163

The number of visits decreased significantly in 2013 and remained lower than in 2011 (191). This is due to two factors: For most of 2013 the majority of detainees in immigration detention were held under the third amendment of Anti-Infiltration Law, which severely restricted our ability to offer them assistance and in particular facilitate their release. In addition, the number of asylum seekers arriving in Israel (and therefore the number of those being detained after arrival) dropped significantly in 2013, which meant there were fewer new clients in detention who needed our information.

Direct assistance to Trafficking Survivors

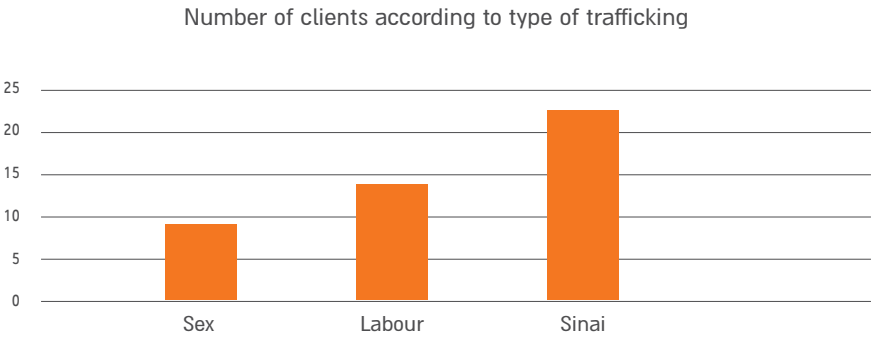
The HRM offers personalized assistance to migrant victims of labor and sex trafficking, slavery and kidnapping in the Sinai and all other forms of trafficking in persons, taking their personal background and needs into account. Our assistance includes release from detention, facilitation of placement in shelters for trafficking victims, referrals to other aid providers, facilitation of recognition as trafficking victims (which entitles victims to state-sponsored legal aid) and arrangement of legal status.

In 2013 we provided direct services to 44 survivors of human trafficking. Of these, 23 were cases first encountered during the reporting period, while the remaining 21 cases had been encountered previously and were still on-going.

The types of assistance provided:

Assistance provided	No. of people receiving this service*
Transfer to shelter	1
Representation in Detention Review Tribunal	1
Legal representation in court	13
General information, advice and humanitarian assistance	16
Representation in matters concerning residency status	13
Facilitation of recognition as trafficking victim	14
Facilitation of safe return to home country	1

Please note that often clients were provided with more than one form of assistance.



ACHIEVEMENTS

As a result of our interventions on behalf of trafficking victims...

- 6 clients received (temporary) legal status in Israel
- 1 client was resettled to Norway
- 4 clients were released from immigration detention
- 1 client received placement in a state-run shelter for trafficking victims
- 1 client returned to her home country within a rehabilitation framework
- 4 clients were recognized as trafficking victims, entitling them to state-funded legal aid

2013 Legal Files

	Refugees	Migrant Workers	Trafficking Victims
Pre Trial	32	17	20
District Court	17	5	12
High Court of Justice	10		3
Other	10	1	2
TOTAL	69	23	37

In total, the HRM handled 129 legal cases in 2013. In addition, 20 cases were handled by external lawyers who received payment by the HRM. In three of the District Court cases we represented 122 asylum seekers who were detained in immigration detention together.

Talks and Tours

The HRM offers lectures and educational tours to various groups in order to increase awareness of the issues facing migrants in Israel and to educate the public about migration and asylum policy.

Institution	Tours	Lectures	Approximate number of participants
Academic Institutions	11	2	224
Foreign Groups	13	12	448
Religious Body	1	2	50
Government Agency	2	2	123
Army	-	1	15
Other	4	4	119
Total	31	23	979

In total, more than 900 people participated in HMW lectures and tours.

Publications in 2013

Based on 66 interviews conducted with children and mothers previously or currently detained in immigration detention, the HRM and partner organizations drafted the first report on the detention of children in Israel and incorporated this data in a National Action Plan (NAP), which details how and which alternatives to child detention could be implemented in Israel. The NAP will be introduced to lawmakers and other stakeholders in the beginning of 2014.

The NAP suggests the introduction of case-management carried out by social workers instead of police officers, or wardens to serve as intermediaries between migrant families and the authorities. It further recommends alternative forms of detention, such as bracelets, successfully practiced in other states. It also suggests forms of family facilities, proposes a regulated system for boarding schools, and an automatic referral system to the Ministry of Welfare in case of children being arrested. The National Action Plan ends with policy recommendations that are immediately adoptable by the government without having to change a legal framework.

In 2013...

- Our Crisis Intervention Center assisted 2,103 people from 60 different countries. We sent 2,062 interventions to authorities on behalf of our clients.
- Our staff and volunteers made 163 visits to immigration detention facilities. 439 media items were initiated by us.
- We handled 129 legal cases.
- We gave 54 talks and tours reaching more than 900 people.
- We identified and assisted 44 trafficking victims.



III.

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Prof. Naomi Chazan

Adv. Noa Diamond

Ms. Anat Hoffman

Ms. Rotem Ilan

Dr. Bella Kauffman

Ms. Nelly Kfir

Prof. Gideon Kunda

Dr. Miri Osin



IV. Staff

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Ms. Sigal Rozen – Public Policy Coordinator

Ms. Emi Saar – Director of Government Relations and Trafficking Victim Support

Ms. Adi Lerner/Ms. Zameret Hershko/ Ms. Anat Guthmann – Director of Crisis Intervention Centre

Mr. Asaf Weitzen – Lawyer, Director of Legal Department

Mr. Nimrod Avigal – Lawyer, Migrant Workers/Asylum Seekers and Refugees

Ms. Raya Meiler – Lawyer, Victims of Human Trafficking (NIF law fellow)

Ms. Ruti Hostovsky – Lawyer, Asylum Seekers and Refugees

Ms. Rona Perry – Director of Public Department

Ms. Chaska Katz – Case Worker

Ms. Messi Fisahaie – Translator, Tigrinya

Mr. Ghebrehiwut Tekle – Translator, Tigrinya

Ms. Saroj Elam – Office Manager

Ms. Maike Harel – Director of Resource Development

Ms. Anat Ovadia – Spokesperson

Ms. Anda Barak – Financial Officer

Ms. Yael Eisenberg – National service volunteer

Ms. Shira Ayal – National service volunteer

Ms. Noam Weiss – National service volunteer

Mr. Guy Avni – National service volunteer

In addition, the HRM is happy to thank our dedicated volunteers who conduct a significant part of our work.

V.

Acknowledgements

We are incredibly grateful to our generous donors and friends for their encouragement and support in 2013:

A.C.R.C.

Blaustein Foundation

CAFOD

Caritas France

European Union

Foundation for Population, Migration and Environment

International Bar Association Foundation

Keren Aviad

Moriah Fund

New Israel Fund

Pro Asyl Foundation

Rosa Luxemburg Foundation

Samuel Sebba Charitable Trust

Sigrid Rausing Trust

Stiftung Do

And many private donors from Israel and abroad.

For tax deductible donations in Israel:

Please send checks to: The Hotline for Migrant Workers, 75 Nahalat Binyamin Street, Tel-Aviv 65154, Israel

Bank transfers can be made to:

Account holder: Hotline for Migrant Workers

Bank: First International Bank of Israel

Branch: 067 (Shalom Tower)

Account No. 609064

IBAN number: IL660310670000000609064

Swift code: FIRBILXXX

Please let us know if you've made a donation via bank transfer so that we can follow up and issue a receipt: saroj@hotline.org.il

Online donations

Online donations can be made on Israel Toremnet via <https://secured.israelgives.org/donate/hotline>.

For tax deductible donations in the U.S.:

Contributions of at least \$100 may be made via the New Israel Fund. Contributions should be marked as donor-advised to The Hotline for Migrant Workers (grantee number 5334) and sent to The New Israel Fund, PO Box 91588, Washington DC 20090-1588.

Contributions of at least \$25 may also be sent (and must be made payable) to P.E.F. Israel Endowment Funds, Inc., 317 Madison Avenue, Suite 607, New York, NY 10017 referencing the Hotline for Migrant Workers.

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http://www.hotline.org.il
info@hotline.org.il
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...the social legitimacy they enjoy.
...the way the authorities deal
...with practical recommendations
...ing of women has little chance of succeeding.
...rse and outside the reach of authorities,
...client, the root of trafficking,
...industry equation that the report sets out to explore.
...re would be no trafficking of women: the client.
...focuses, for the first time,

הרצאות וסיורים

המוקד מציע הרצאות וסיורים לקבוצות שונות במטרה להעלות את המודעות הציבורית לקשיים עמם מתמודדים מהגרים ומבקשי מקלט בישראל. בסך הכל השתתפו בסיורים והרצאות של המוקד למעלה מ-900 משתתפים.

המוסד	מספר משתתפים	הרצאות	סיורים
מוסדות אקדמיים	224	2	11
קבוצות מחו"ל	448	12	13
מוסדות דת	50	2	1
רשויות וגופים ממשלתיים	123	2	2
צה"ל	15	1	-
אחר	119	4	4
סך הכל	979	23	31

פרסומים

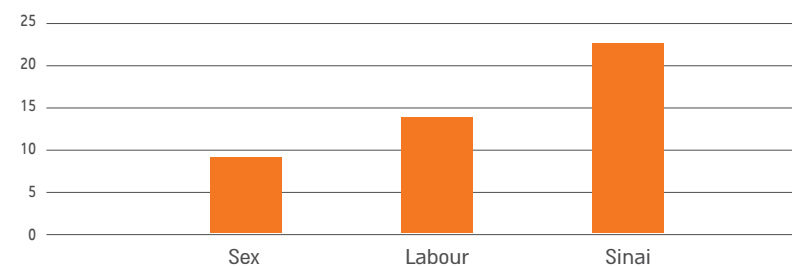
אוגוסט 2013: "רחוק מהעין": כליאת מהגרים ומבקשי מקלט בבתי כלא פליליים בישראל.

נובמבר 2013: "הדרך היחידה החוצה היא הביתה": חיי מבקשי המקלט הכלואים תחת החוק למניעת הסתננות, ינואר-נובמבר 2013.

דצמבר 2013: דו"ח מחקר: מיפוי תנאי המעצר והכליאה של ילדי מהגרי עבודה ופליטים בישראל.

דצמבר 2013: ערכת סיוע לעורכי דין לצורך ייצוג בהליכי מקלט בישראל.

שירות שהוענק	*מספר האנשים שקיבלו את השירות
העברה למקלט	1
ייצוג בבית הדין לביקורת משמורת	1
ייצוג בבית המשפט	13
מידע כללי וטיפול הומניטרי	16
מעמד	13
הכרה כקרובן סחר	14
חזרה מרצון למדינת המוצא	1



פעילות משפטית

במהלך 2013 ניהל המוקד 129 הליכים משפטיים. 20 תיקים נוספים נוהלו בשמנו על ידי עורכי דין חיצוניים. בשלושה הליכים בבית המשפט המחוזי ייצגנו יחד 122 מבקשי מקלט שהיו כלואים יחד.

פליטים	מהגרי עבודה	סחר בבני אדם
32	17	20
17	5	12
10		3
10	1	2
סך הכל	23	37