

# “We are Also Human Beings”

Survivors of Torture Camps in Sinai

A report

ASSAF - Aid Organization for Refugees and Asylum Seekers in Israel



May 2014

**“We Are Also Human Beings”**

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“I am from Eritrea, and for the past two years, since I came to Israel, I have been without work and in poor health. Let me tell you a little bit about the torments I have suffered: After being kidnapped in Sudan, I was transported, along with others, to Bedouins in Saini. The Bedouins kept me in a cave, tortured me, and demanded a \$3,000 ransom in exchange for my release. When my family in Eritrea managed somehow to raise this sum and paid the Bedouins, I was certain that they will let me go. But they did not; instead they now demanded a \$44,000 payment. I told them that they better kill me, because my family will never be able come up with this kind of money. They did not give up, and kept beating us day and night, all over our bodies. Many of us are now infertile, and are scarred all over. This is a disgrace to human rights. After all, we are human beings.

“[...] For seven months the Bedouins kept me underground, tied my arms and legs in shackles, and hit me all over my body, breaking my bones, using sticks and metal rods. Till this day I have marks and scars on my head and legs, and I suffer a great deal of pain in my spine and legs. My condition today is truly miserable. I sleep on the streets. Although ASSAF’s aid organization helps me a bit, I still cannot work due to the terrible pain in my back and limbs, which has worsened now that it is winter and cold outside.”

Twelda Mahri, an asylum seeker from Eritrea (A special meeting of the Knesset Committee on Foreign Workers, Human Rights Day, December 9<sup>th</sup>, 2013).<sup>1</sup>

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On the cover: a drawing by a woman asylum seeker in Israel, who is a victim of torture. Drawn as part of an activity offered by ASSAF’s support group for female survivors of torture and human trafficking in Sinai.

<sup>1</sup> Protocol of meeting no. 23 of the Knesset Committee on Foreign Workers, the 19<sup>th</sup> Knesset (09.12.13). <http://oknesset.org/committee/meeting/8271/>

## Introduction

Asylum seekers who are victims of human trafficking and torture – women, men and even children who suffered some of the most dreadful torments, ones that words cannot fully describe, and who were victims of some of the most severe crimes that can be made towards human beings – now live in Israel. These victims carry terrible physical and mental scars, and need specialized support and care. The purpose of this report is to draw a picture of the state of these victims, as characterized by ASSAF's professional team, and the support they receive from our organization.

While victims who were recognized by the state of Israel as victims of human trafficking and slavery receive a range of rehabilitative services, support and protection from the state, torture victims who were not recognized as victims of human trafficking and slavery remain without appropriate care. Many of these victims have received, in recent years, help from ASSAF, a non-profit organization providing psycho-social support to asylum seekers in Israel since 2007. ASSAF's team has developed several tools, responding to the variety of needs of torture victims, focusing on individual psycho-social care and the development of support systems. The nature of the particular needs of this community, as identified by ASSAF, and the various programs we developed to respond to those needs, are the subject of this report.

## Asylum seekers who are victims of torture and human trafficking

The characteristics of human trafficking in Israel have changed in recent years. While trafficking of women from post-Soviet states for prostitution purposes was almost fully eradicated, a new group of victims of trafficking who are asylum seekers from Africa became more dominant. According to data of the Israeli Population, Immigration, and Border Authority, in December 2013 there were 52,691 asylum seekers from Africa living in Israel, over 90% of them arrived from Sudan and Eritrea.<sup>2</sup> These asylum seekers are not deported

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<sup>2</sup> Population, Immigration, and Border Authority, data on foreigners in Israel, 2013 annual summary (January 2014), available here: <http://www.piba.gov.il/PublicationAndTender/ForeignWorkersStat/Documents/563343n80.pdf>

It should be noted that hundreds and even thousands of asylum seekers have since then left Israel, and that the number of those entering the country has remained very low. See also: Ilan Lior, "a Sharp Increase in the "Voluntary Deportation" of Asylum Seekers; G. Sa'ar: in February 1,500 will leave the country," In: Haaretz daily newspaper, 18.02.14. Available here: <http://www.haaretz.co.il/news/education/1.2247779>

back to their countries of origin due to the danger they will face there, but Israel consistently and repeatedly pressures them to agree to leave voluntarily. Since 2009 human rights organizations in Israel and over the globe have known about the Sinai torture camps, where Africans are being held. Many of those kept in these camps are asylum seekers who hoped to come to Israel and were sold by their smugglers to Egyptian traffickers, but there is also evidence that some people were kidnapped and brought to these camps without ever intending to come to Israel.

The purpose of keeping African prisoners in Sinai torture camps is extorting money from their relatives – ransom in return for their release – which can reach tens of thousands of dollars. In order to pressure the family members to send money, the traffickers torture their captives. Often these torturing takes place while holding an open phone-line with prisoners' relatives around the world: they hear the screams of their family members while being tortured, and the traffickers threatening to kill them and demanding high sums of money to spare their lives. Survivors testify that most common types of torture are: rape, burns, electrifying, hanging, chaining, and deprivation of food, drink and sleep. There are also evidences of mutilation of different body parts, and even organ harvesting. The Sudanese and Egyptian authorities react by turning a blind eye to this phenomenon, and they have also cooperated with it by returning victims who escaped back to their traffickers.<sup>3</sup>

In March 2014, 24 countries who are members of the UN, led by a German delegation, submitted a document to the United Nations Human Rights Council, calling for the end of torturing and human trafficking in Sinai. Furthermore, they called the countries who currently host survivors of these crimes, not to arrest them, to provide them with rehabilitation services, and to facilitate their asylum applications.<sup>4</sup>

Victims who are able to raise their ransom money and remain alive are released in the desert not far from the Israeli border. Sometimes the Egyptian security forces detect asylum seekers

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<sup>3</sup> Human Rights Watch, "I Wanted to Lie Down and Die" - Trafficking and Torture of Eritreans in Sudan and Egypt, 11 February 2014, ISBN: 978-1-62313-0978, <http://www.refworld.org/docid/52fe17884.html>

<sup>4</sup> 25th Session of the United Nations Human Rights Council, "Statement by H.E. Mr. Hanns H. Schumacher, Permanent Representative of the Federal Republic of Germany," 13.03.14, <http://www.hrw.org/news/2014/03/13/statement-he-mr-hanns-h-schumacher-permanent-representative-federal-republic-germany>.

as they approach the border and shoot at them.<sup>5</sup> As a result of these torture and shooting, many of the victims reach the Israeli border in terrible condition and utter exhaustion. Some have been transferred to hospitals to receive medical treatment before being further transferred to a detention center. Medical treatment of these victims could take weeks, and even months.

The official numbers of victims of human trafficking in Sinai and of those currently living in Israel, are both unavailable. The estimate is that between the years 2009-2013 at least 25,000-30,000 people were trafficked in Sinai, and about a quarter of them (between 5,000-10,000) died. Most died from the torture and the unlivable conditions in the camps, but a few dozen also died as a result of shootings of the Egyptian army.<sup>6</sup> Human Rights Organizations estimate that 5,000-7,000 victims of the Sinai torture camps currently live in Israel.<sup>7</sup> Other victims of the Sinai torture camps continued to Egypt (mostly to Cairo) and other countries, and some were arrested by the Egyptian authorities and deported back to their home countries.<sup>8</sup>

Since the building of the fence along the Israeli-Egyptian border has been completed, there have been almost no entries of asylum seekers into Israel. Therefore, the number of victims of torture within Israel is not supposed to change much. Among those victims currently living in Israel there is a small group of 250 people who were recognized by the state as victims of human trafficking and slavery. As is further explained below, unlike all other victims who, despite their condition, do not receive support the state, these 250 recognized victims are entitled for state sponsored rehabilitative care.

<sup>5</sup> Amir Buchbut, "A Phenomenon in the Southern Border: the Egyptian Army Shoots Infiltrators," Walla News, 02.10.11, <http://news.walla.co.il/?w=/13/1865224>. Chanan Greenberg, "The Egyptian Army Shot Infiltrators, a Battalion Commander's Car was Injured," Ynet, 29.07.11, <http://www.ynet.co.il/articles/0,7340,L-4101819,00.html>

<sup>6</sup> Van Reisen, Estefanos and Riken, "The Human Trafficking Cycle: Sinai and Beyond [Draft]," Wolf Legal Publishers, 2013, p.62-64, [http://www.eepa.be/wcm/dmdocuments/Small\\_HumanTrafficking-Sinai2-web-3.pdf](http://www.eepa.be/wcm/dmdocuments/Small_HumanTrafficking-Sinai2-web-3.pdf)

<sup>7</sup> This is the estimate of PHR Israel (Physicians for Human Rights) together with the HRM Israel (Hotline for Refugees and Migrants). See: Physicians for Human Rights, "No more without status – not more without rights: a report in preparation for a meeting of the Knesset's Committee on Foreign Workers, with the Minister of Health, Yael German," 12.06.12, <http://www.phr.org.il/default.asp?PageID=52&ItemID=1774>. Van Reisen, Estefanos and Riken have reached a similar estimate at the end of 2013 (see footnote no. 6).

<sup>8</sup> Van Reisen, Estefanos and Riken, 2013, pp. 63-64.

**Testimony of A', an Asylum Seeker from Eritrea:** “Eight of us were all chained together. We were given one bread for all of us, and half a bottle of water, per day. Their boss arrived, his name was Abu Abdullah. He brought a plastic tube and put it on fire. He began dripping the burning melted plastic on our backs while dictating the rules of the camp:

1. 20 lashes on our backs, three times a day, until we come up with the money.
2. It is forbidden to touch the plastic that stuck onto one's skin.
3. We get two breads for all of us every four days.
4. Everyone must pee into a plastic bag, and defecating is not allowed.

We all had terrible wounds, infections, pus and worms in our wounds. The stench was so disgusting that you cannot believe that these are human beings.

**A' suffers from post-trauma, has a very difficult time forming social relationship and keeping a job, he lives off of charity and needs constant medical and psychological care.**

### **Differentiating between victims of human trafficking and victims of torture**

In light of the way Israeli authorities treat victims of the Sinai torture camps, we can differentiate between two groups of victims: those who were recognized by the Israeli police as “victims of human trafficking” and those who were not recognized as such. The differentiation between these two groups is based on legal definitions. This is in spite of the fact that often all of the victims underwent very similar (even identical) tortures.

Defining a person as a victim of human trafficking is based on the legal definition of “trafficking in persons”. According to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, “Trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation

shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”<sup>9</sup>

The Israeli judicial system determines whether a person is a victim of human trafficking based on the 2006 Israeli anti-trafficking law. This law defines human trafficking as slavery for purposes of forced labor, forced services, including sexual services.<sup>10</sup>

Many victims underwent dreadful tortures that do not correspond to Israel’s definition of human trafficking. This is mainly because their captivity, abuse, and exploitation were not done for the purpose of forced labor. In other words, the Israeli law focuses on the purpose of the enslavement rather than the severity of the offenses suffered by the victim. The psychosocial work performed in ASSAF has taught us that in many cases there are no essential differences between those who were recognized as victims of human trafficking and slavery, and those who underwent the same horrid experiences, but were not recognized as such. The judicial categorization relies on the uses prisoners had for their captives (a translator, for instance) rather than the severity of the tortures inflicted on the victim, or their psychological effect on him/her.

Whether recognized as victims of human trafficking or not, all victims of the Sinai torture camps face similar struggles and suffer from psychosocial difficulties that are essentially the same. Due to the different treatment that recognized victims receive from Israeli authorities, the discussion of the two groups in this report will be separate.

### **Victims of torture**

As aforementioned, aside from recognized victims of human trafficking entitled for rehabilitative services from the state, there are thousands of victims of torture currently living in Israel. These victims are not entitled for state sponsored rehabilitative services, and like all

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<sup>9</sup> UN General Assembly, “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime,” 15 November 2000, <http://www.refworld.org/docid/4720706c0.html>

<sup>10</sup> The Israeli law of Prohibition of Trafficking in Persons (Legislative Amendments), 2006, <https://www.knesset.gov.il/Laws/Data/law/2067/2067.pdf>

other asylum seekers, they are without legal status, they are not provided with formal work permits, and they do not have access to medical and welfare services. This situation worsens their vulnerability and exposes them to a dangerous deterioration in their already difficult physical and mental states. These victims often find themselves in complex social situations, they suffer from difficult traumas and need medical care and psychological support mechanisms to help them rehabilitate themselves. ASSAF's team meets this community on a daily basis, and much of our current psychosocial work is devoted to these victims and to their support.

### **Imprisonment of victims of torture**

Before the Prevention of Infiltration Law (amendment no. 3) was implemented, asylum seekers were detained for several weeks or months, and then released. In June 2012 the state started implementing the amendment, allowing for the detention of asylum seekers for a period of at least three years. Among those detained were also victims of torture who entered Israel, most of whom were released from the Saharonim detention center only after the Israeli Supreme Court determined the amendment to be unconstitutional, in September 2013.<sup>11</sup>

Despite the condition of these prisoners, the Israeli Prison Service did not allocate suitable resources – manpower with the relevant specialized training – to support them, leaving asylum seekers who are victims of torture without the professional care appropriate for their needs of rehabilitation. Without a suitable response to their condition, asylum seekers who were tortured in the Sinai camps suffered during their imprisonment from post-traumatic symptoms, such as nightmares, sleeping disorders, and tantrums. As a result, asylum seekers

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<sup>11</sup> The Supreme Court, 12/7146 Adam v. The Knesset (ruling), <http://elyon2.court.gov.il/files/12/460/071/B24/12071460.B24.htm>. It must be noted that the Prevention of Infiltration law (amendment no. 3) allowed the release of asylum seekers due to “special humanitarian grounds”. In April 2013 the Supreme Court overruled an earlier judgment from the Be'er Sheva District Court that tortures suffered by asylum seekers on their way to Israel should not qualify as a “special humanitarian grounds” for the purpose of their release. The Supreme Court ruled that “the categorical determination that kidnapping, imprisonment, torture and other miseries inflicted on many of those who made their way from Africa to Israel, does not qualify as “special humanitarian grounds” for their release from detention, is wrong. Each case of an asylum seeker asking for release due to torture they underwent in Sinai needs to be examined based on its own individual circumstances.” Yet, despite the general understanding that torture can in some cases qualify as special grounds for release from detention, most torture victims were released only after the Prevention of Infiltration law was ruled unconstitutional, in September 2013. See: The Supreme Court, 13/1689, Simon Waldo v. the Internal Affairs Minister (ruling), <http://elyon2.court.gov.il/files/13/890/016/M06/13016890.M06.htm>.

in distress were often put in isolation. Many studies have shown that the imprisonment of asylum seekers for an unlimited period has severe physical and mental repercussions, at times irreversible. Even those who do not struggle with psychological or physical illnesses are most likely to develop mental illnesses in response to imprisonment or to being held in prison-like conditions, without being able to work or take part in any other structured activity. When survivors of extreme traumas are concerned, and they are left without support and care for their rehabilitative needs, then the repercussions are all the more terrible.<sup>12</sup>

**The story of K', an Asylum Seeker from Eritrea:** K' left Eritrea when she was 18. Even before she completed her high-school studies, she was required to enlist for military service, and since she knew the horrors expecting her in this service, she decided – as thousands of Eritreans decide each month – to flee the country. K' crossed the border to Soudan together with her sister and five other men. After they crossed the border Sudanese policemen caught them and promised to transfer them to a refugee camp. Instead, they transferred them to Bedouin smugglers, who took them, against their will, to Sinai. K' and her sister were held by the Bedouins for two weeks, together with other Eritreans, before they were transferred to Sinai. During the nights different men raped K's sister. The driver who transferred them raped K' in the middle of the desert. After he did so, he told her she must raise \$33,000 in order to be released, and the same sum for her sister.

The two sisters were kept in Sinai for two months, during which the traffickers raped K's sister over and over, burned her back and electrified her. When the torturers found out that K's family was able to raise money to release only one of their daughters, they hit them. K's sister was already fatally wounded from the tortures she suffered. She could not stand but the abductors were yelling at her over and over that she must stand, as they were kicking her in the head until she died. Following her sister's death, K' had to wait five more months until the money from her parents arrived. The reason she was kept alive, and not her sister, was that the kidnappers needed her as a translator, because she knew Arabic.

<sup>12</sup> See for example: J. Rabkin, stress and psychiatric disorders, in Goldberg and Breznitz (eds.) handbook of stress (New York: the free press, 1993), pp.477-495; Amnesty International, Migration-Related Detention: A Research Guide on Human Rights Standards Relevant to the Detention of Migrants, Asylum-Seekers and Refugees, November 2007, POL 33/005/2007, <http://www.refworld.org/docid/476b7d322.html>.

Today K' lives with four other women and works to return her debts to people who paid for her release. One of the people she owes money to told her that her debt will be exempt if she married him, but she refused. K' has been treated by ASSAF for three months. Every two weeks she has an individual meeting with a social worker. K' learns English and computers, works, and told us she feels safer and suffers less from sleeping disorders.

### **Release from imprisonment and difficulties adjusting to life outside of prison**

Upon being released from prison, victims of torture returned to their communities, immediately facing the expectation that they will start working to pay back the immense sums of money paid for their release. As time went by and it became clearer that many of these victims are unable to work and pay their debts, the communities' empathy towards them decreased.

Many victims of torture were unable to work. They experienced the same difficulties faced by all asylum seekers when they search for work (resulting from the ambiguity in regard to the legal status of their employment), as well as greater difficulties particular to them. Many victims suffered from severe medical problems resulting from the torture. For example, awful injuries and scars around their feet and ankles, caused by their enchainment to the wall for weeks and even months at a time, did not allow them to recover and return to function. Another example are horrible mutilations to victims' arms: often their bones were broken by their torturers and left untreated for a long time, thus healing in a deformed manner. Other victims suffered similar scars and deformations in other parts of their body. Orthopedic problems are very common, as well as severe skin problems.<sup>13</sup>

Asylum seekers who are victims of torture live in terrible conditions, often in small and very crowded spaces and in severe economic hardship. Post-traumatic stress disorders and depression are very common among them. Furthermore, as they owe large sums of money to members in the community and at the same time are often unable to work, victims of torture

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<sup>13</sup> Protocol of meeting no. 23 of the Knesset Committee on Foreign Workers, report of Dr. Ido Luria (then PHR-Israel's medical Director of the Open Clinic). See also: Physicians for Human Rights, "Captivity, Torture and Rape in the Desert, data on what is happening in Sinai, based on interviews with 284 asylum seekers", 23.02.2011, <http://phr.org.il/uploaded/Phr-israel-Sinai-Report-Hebrew-23.2.2011.pdf>

quickly became a greater burden on their communities. As a result, their susceptibility to exploitation increased significantly.

As long as victims of torture were struggling for basic survival outside of prison (such as finding food and shelter), sometimes some of their additional adversities remained repressed. These resurfaced only after a period of adjustment to life outside of prison and found manifestation in post-traumatic symptoms in the victims themselves, as well as increasing distress in their supporting communities. Victims of torture suffer, among other symptoms, from psychosomatic pain, memory deficiencies, abstention, sleeping disorders and nightmares. The trauma of their torture in Sinai has added to their hardships as refugees, their foreignness and lack of protection, which are experienced by most asylum seekers. These asylum seekers, who underwent some of the most atrocious traumatic experiences, were left without suitable psychological care and without a supportive environment that could help them.

The asylum seekers' community that received victims of torture as they got released from prison was, to begin with, a weakened community fighting for its own daily survival. The community's ability to treat these victims, whose rehabilitative needs are immense and require abundant resources, was very limited. Victims often had difficulties to adapt, suffering from sleeping disorders and depression – often causing them to cast themselves outside of a community which had no capacity for their sufferings.

### **Access to state sponsored healthcare and welfare services**

Many victims arrived to Israel in terrible conditions, wounded from the long term torturing they suffered in Sinai, and at times even injured from shootings of the Egyptian army at the border. Asylum seekers who entered Israel in such conditions were transferred to hospitals to receive immediate care. After receiving primary care, and in case they did not get recognized as victims of human trafficking, they were not entitled to any additional state-sponsored rehabilitative care. The detention center to which they were sent upon release from the hospital also did not provide the appropriate professional support. As a result, these asylum

seekers were once again at risk that their already precarious physical and mental conditions will further deteriorate.

The status of victims of torture who did not get recognized as victims of human trafficking is, in fact, the same as all other asylum seekers in Israel. They are not eligible to receive any state-sponsored healthcare and welfare services, unless in case of emergency. In case of need, they can seek medical treatment at the Health Ministry's "Terem" clinic, located in Tel Aviv's central bus station. The services offered by this clinic are very limited, considering the size of the community of asylum seekers in Israel, their various needs, and the different areas they live in. Yet, unlike hospital care, services at the "Terem" clinic are offered in non-emergency cases as well.

Finally, in April 2014 the UNHCR and the Health Ministry initiated the establishment of the "Gesher" mental-health clinic in Jaffa. The clinic offers free psychiatric and psychological care as well as social services to the community of asylum seekers, trafficking victims and irregular migrants currently living in Israel. The establishment of this new facility is an important and welcome step in Israel's commitment to the rights of asylum seekers and refugees, yet it does not provide sufficient and suitable care for all who need it. The clinic is not accessible to asylum seekers with psychiatric illnesses who do not live in the center of Israel, it is overburdened and doesn't have sufficient resources to treat everyone who needs help. Finally, the type of care it provides constitutes only one aspect from a set of modes of treatment that most patients need.

**The story of A', an asylum seeker from Eritrea:** A's husband escaped Eritrea three years ago. A', left in Eritrea, was required to pay an emigrant tax to the Eritrean government, to pay for her husband's escape. Unable to raise the money, A' was arrested and imprisoned, and decided that as soon as she could, she would flee Eritrea to Israel and join her husband. A' left Eritrea to Sudan, leaving her three children in her mother's care. She arrived to a refugee camp in eastern Sudan, and from there she was taken by Bedouins to Sinai. Together with A' there were 16 other men. Upon arrival to Sinai her traffickers demanded a \$35,000 ransom in exchange for her release.

A' knew she would have to pay in order to be transferred to Israel, but did not imagine it could be such an imaginary sum. During the five months that passed until her family was able to raise the money, A's torturers raped her and strangled her repeatedly.

Upon her arrival to Israel, A' was detained in Saharonim. She was imprisoned for eighteen months, and released in November 2013. She lives with her husband and is now back to work. Her husband does not know about the horrors she has been through in Sinai. A' was interviewed by the UNHCR and is planned to move to Sweden, as part of a resettlement program, later this year. In the meantime, she participates in a support group for women who are victims of torture operated by ASSAF, where she receives social and mental support.

## **Victims of Human Trafficking**

### **Human trafficking in Israel**

Human trafficking is a global phenomenon that takes place in many countries and involves international networks of crime, trafficking and immigration. Most trafficking victims are women and children—depending on the networks' targets.<sup>14</sup> In 2000, the United States legislated the Victims of Trafficking and Violence Protection Act.<sup>15</sup> The US' State Department produces reports on human trafficking, overseeing and rating actions and efforts made by other countries to prevent and eradicate trafficking in their territories. In the 1990's there was an increase in human trafficking in Israel, as the country became a destination for trafficking of women from post-Soviet states for prostitution purposes and sexual exploitation. The State Department's reports on human trafficking determined that the Israeli government's actions do not meet the minimal standards for eradicating the phenomenon.

In 2000 the Israeli Knesset founded a parliamentary commission of inquiry to investigate trafficking in women. This committee later turned into a subcommittee for the Struggle

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<sup>14</sup> UNODC, Global Report on Trafficking in Persons, December 2012, [http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking\\_in\\_Persons\\_2012\\_web.pdf](http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf).

<sup>15</sup> Trafficking Victims Act, 2000, 22 U.S.C., <http://www.state.gov/documents/organization/10492.pdf>.

against Trafficking in Women, which deals with support provided for trafficking victims. In 2006 the Knesset legislated the Israeli Anti-Trafficking law, which determines that “the trafficking of humans, the holding in conditions of slavery, and forced labor are criminal offenses the penalties for which range from seven to twenty years’ imprisonment.”<sup>16</sup> The law determines that the state of Israel will provide victims of trafficking and slavery with free legal aid. The procedure of granting status to victims of human trafficking and slavery was published in 2007 and updated in 2010, and it addresses the length of rehabilitation, and the victims’ status.<sup>17</sup>

### **Rehabilitation of victims of human trafficking in Israel**

The rehabilitation process of trafficking victims is viewed as part of the larger struggle against the greater phenomenon of human trafficking. This struggle is made out of three components (the “3P” paradigm): prevention of human trafficking, prosecution of traffickers, and protection of victims, including rehabilitating them. The need of rehabilitation emerges from the recognition that human trafficking necessarily involves a severe violation of the most fundamental human rights, treating victims as if they were objects. It is further recognized that without rehabilitation victims will find it impossible to break away from the vicious cycle of exploitation, and will remain helplessly trapped within it. There are various approaches to rehabilitation of victims, ranging “from the functional and instrumentalist aspect, which focuses on enabling survivors to reorganize and cope with the pressures they face, to a focus on the internal psychological process undergone by the individual.”<sup>18</sup>

In Israel there are three rehabilitation shelters for trafficking victims. In February 2004 the Ma’agan Shelter was established for women, and in 2009 the Atlas Shelter for men was also established. Another shelter for women was established at the end of 2013 due to full capacity in the first two shelters. These shelters operate according to an open format, but the

<sup>16</sup> Dr. Daphna Hacker and Dr. Orna Cohen, “The Shelters in Israel for Survivors of Human Trafficking”, Research Report, Tel Aviv University, March 2011, p. 34, available here: <http://www2.tau.ac.il/InternetFiles/news/UserFiles/The%20Shelters%20in%20Israel.pdf>. see also footnote no. 10.

<sup>17</sup> Procedure of the Population, Immigration, and Border Authority, “Procedure for granting status to victims of slavery and of human trafficking for purposes of slavery and forced labor” (06/15/2010), <http://www.piba.gov.il/Regulations/165.pdf>.

<sup>18</sup> Hacker and Cohen, “The Shelters in Israel for Survivors of Human Trafficking”, p. 19, available here: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2070787](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2070787).

residents are required to sleep in them. Their rights include: safe accommodation, food, hygienic supplies, legal aid, work (if they received a work permit), social and psychiatric services, medical treatment (excluding dental care), pocket money and programs during leisure time at the shelter.<sup>19</sup>

### **Imprisonment of victims of human trafficking and their release from prison**

Beginning in June 2012, with the implementation of The Prevention of Infiltration law (amendment no. 3), asylum seekers who entered Israel illegally were detained in the Saharonim Detention Facility. Among those detained were trafficking victims from the Sinai torture camps. Some of those victims were recognized by the police as victims of human trafficking, but due to full capacity in the government-run rehabilitation shelters, these victims, both women and men, remained in prison. This is in spite of the fact that they were eligible for rehabilitative services sponsored by the state.

Imprisonment has devastating effects on the mental health of trafficking victims who suffered traumatic experiences and are therefore emotionally unstable. Hence, the ministry of justice's legal aid department worked to release recognized victims of human trafficking from prison. In March 2013, for the first time, a prisoner was released from Saharonim Detention facility, having been recognized as a victim of human trafficking. Instead of waiting within prison for an opening at the rehabilitation shelter, she was released to her relatives'.<sup>20</sup>

The administrative court in Beer-Sheva authorized the release under several conditions. First, the woman had to reside with a guardian who had taken upon himself to support her and host her in his home until she will be transferred to a government-run rehabilitation shelter ("Ma'agan"). Furthermore, while she was out of detention but not yet residing in the shelter, the woman was to receive psycho-social professional counselling from ASSAF. This condition was set forth after Ms. Orit Rubin, then director of psycho-social services at ASSAF, appeared before the court and presented the organization's activities. It was despite Orit's emphasis that ASSAF has very limited resources and that it provides support only based on the professional guidelines of its staff. The court requested the lawyer who

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<sup>19</sup> Ibid., pp. 56-57.

<sup>20</sup> See court case: 22981-02-13 Tusafai against Ministry of Interior

represented the victim to monitor her treatment and rehabilitation at ASSAF, and to report on them to the court.

Following this court verdict, lawyers from the ministry of justice's legal aid department were able to release trafficking victims, under the same conditions, assuming that ASSAF will care for them and accompany them until there are openings in the shelters. Up till November 2013, the court has referred 39 victims (27 women and 12 men) to ASSAF's care, as they await entry to the state's rehabilitation shelters.

### **The condition of victims of human trafficking released from prison and awaiting intake in rehabilitation shelters**

Asylum seekers who have been recognized as trafficking victims were released from prison to the care of guardians in their communities. As they awaited entry into the state's rehabilitation shelters, they did not receive any support or care from the state's welfare department (similarly to all other asylum seekers in Israel). They were forced to wait for a very long period until there was a spot available for them in the shelter. Six months after their release and only following ASSAF's repeating appeals, some victims were able to receive partial care in a newly opened day-center for trafficking victims, founded in October 2013 by the Ministry of Welfare and operated by Mesila (an aid center for the foreign community operated by the city of Tel Aviv).

These victims, some of whom were held in Sinai for 18 months and detained in Saharonim for an additional 18 months, were released to their communities in terrible physical and mental conditions. They came to their communities without there being anyone who could help them recover from the extreme traumas they suffered, or help them acclimate into a new reality. The treatments offered to them by ASSAF could not respond to their multiple and diverse needs. Furthermore, the guardians and the respective communities were not prepared to receive their relatives in such difficult psycho-social states. Many in the community of asylum seekers in Israel knew about the torture camps in Sinai, yet they were not aware of the victims' extreme mental conditions and did not know of ways to support and help them in their recovery.

The court's ruling was the only official document victims received upon their release from prison. The state did not provide them with a valid residence permit or a work permit. Without an official permit that clarifies the legality of their employment, trafficking victims struggled to find work and earn a living. This situation worsened their vulnerability and exposed them to further exploitation. As long as they awaited intake in a rehabilitation shelters, most victims did not receive an official work permit.

The community (as the victims themselves) all expected that released victims will be able to return to normative life and begin working. Yet, their suffering from post-traumatic symptoms, the lack of support, their physical injuries and financial difficulties all worsened their situation, and as a result increased their vulnerability and suffering.

Many male victims suffered from severe physical injuries resulting from the tortures they underwent in Sinai, such as amputated limbs and destructed internal organs. These disabilities made it harder for these men to find work. The expectation that they will be able to support themselves and start to repay the immense debts of their ransom money, crumbled. Additionally, men who were sexually abused and exploited in the Sinai camps could not reveal these truths to their friends in the community, which worsened their mental distress, deepened their helplessness, lowered their self-esteem, and contributed to their overall difficulty to function in everyday life.

### **Lack of supervision on guardians' work**

One of the court's conditions for release of trafficking victims from detention, was that a guardian from their community will take upon himself to provide their basic needs (food and shelter) until an opening becomes available in the rehabilitation center. Yet, guardians and the respective communities were not well prepared to receive these victims in such difficult psycho-social states. To our best knowledge, except for contact with lawyers from the ministry of justice's legal aid department, there wasn't any follow up on the release of victims, meant to guarantee that guardians indeed did their work and did not hurt the victims. Additionally, the Ministry of Welfare did not conduct house calls, did not support the victims,

and did not provide guardians with any professional guidance. No one assessed the guardians' ability to support the victims, financially and mentally, over prolonged periods.

Guardians are often family members or acquaintances from the community. Since most of the guardians are themselves asylum-seekers, lacking status and deprived of any rights, they usually suffer from economic hardships, instability, and are often unable to furnish the needs of their guests. In some cases guardians were also those who contributed money so that victims could be released from their traffickers in Sinai. Thus what came about was that victims were to stay at homes of guardians to whom they owed money.

The victims' dependence on their guardians pressured them to start working so that they could begin to pay back their immense debts. The harder it was for the victims to find work, the pressure on them became stronger. In some cases, victims were asked to leave the guardians' home, when the latter could no longer support them. Women were often exploited by their guardians: we know of cases where women got beaten, and there is a strong suspicion that in one case a guardian forced a woman into prostitution. We also know of five women who had to perform abortions upon their release from detention, some of them as a result of prostitution. In some extreme cases that required immediate attention due to their severity, ASSAF's team requested that a victim would be taken into a shelter earlier than their anticipated intake date, and the request was granted.

Finally, the difficult physical and mental states of victims of human trafficking and slavery made it very difficult for them to function outside the detention center and at their guardians'. Victims suffer from post-traumatic syndromes: nightmares and crying in their sleep, difficulties in daily functioning, psychosomatic sickness, anxiety attacks, depression and more. Dealing with such symptoms, without properly preparing the guardians or helping them, made the relations between victims and their guardians problematic. It also made it harder for victims to get used to living outside of a detention center.

### **Victims of human trafficking referred to ASSAF for treatment**

As aforementioned, during 2013, the "Court for Infiltrators Custody Review" released recognized victims of human trafficking from detention centers. These man and women were

released to await in the community for intake in the rehabilitation shelter. These releases were approved on the condition that the victims come to ASSAF to receive counseling and support. However, the referral of victims to a voluntary NGO like ASSAF resulted in a high level of uncertainty as to the victims' commitment to receive such help and to the authorities' ability to effectively monitor their condition.

Then as well as now, ASSAF does not have the means or the willingness to force trafficking victims to use their services. ASSAF refused to force victims to receive care and support and refrained from reporting to the authorities on the victim's state. ASSAF only gave an initial acknowledgment to lawyers from the legal aid department that the victim indeed arrived at its offices, and provided more information only in extreme emergency cases that necessitated that the victim be transfer to a rehabilitation shelter. Accepting the care and support of ASSAF professionals remained entirely up to the victim's will and based on his / her decision.



A drawing by a woman asylum seeker in Israel, who is a victim of torture. Drawn as part of ASSAF's support group for female victims of torture in Sinai.

The court's ruling has created a situation in which ASSAF, a non-governmental human-right organization, has become the official entity that supports and counsels recognized victims of human trafficking who were released from detention centers. ASSAF's ability to address the various needs of those victims was very limited and insufficient.

Trafficking victims had the opportunity to receive the same type of services offered regularly to all asylum seekers who come to ASSAF for help. In addition, in order to address the unique needs of this group, ASSAF created some new services (details below).

Despite these many challenges, it should be noted that the work-relations between ASSAF's professional team and the lawyers from the legal-aid department who represent trafficking victims remained good and professional. It became apparent that the cooperation between

these two entities, for the benefit of victims, contributed a great deal to the ability to address this very complex reality. Finally, cooperation with staff at the Ministry of Welfare and at the Ministry of Justice was also positive.

### **The Ministry of Welfare opening day centers and an additional shelter to support trafficking victims**

As of June 2013, ASSAF has repeatedly stated to the authorities that it is not its responsibility neither can it provide adequate supportive care to victims of human trafficking and slavery. In a meeting with officials from the state's welfare and law ministries, as well as in letters sent to them, ASSAF demanded that the state will bear responsibility over recognized victims of human trafficking and slavery while they wait for their rehabilitation.<sup>21</sup>

In October 2013 the Ministry of Welfare opened a specialized day-center to treat women who are victims of human trafficking, as they await an opening in a government-run rehabilitation shelter. This day-center is operated by MESILA (an aid center for the foreign community operated by the city of Tel Aviv), and it offers services provided by a social worker. Towards the end of 2013 the center made its services available also to men victims of human trafficking.

In May 2013, following a discussion in the Knesset's Committee on the Status of Women and Gender Equality, the Minister of Welfare approved dedicating one and a half million NIS to the establishment of a new shelter for women trafficking victims.<sup>22</sup> The founding of the new shelter was delayed in a few months, and it finally opened in December 2013.

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<sup>21</sup> See letter from attorney Michal Pinchuk, ASSAF's CEO, to attorney Meirav Shmueli, who is in charge of coordinating the battle against human trafficking in the Ministry of Law, 06/05/2013.

<sup>22</sup> "In light of an appeal made by the Committee on the Status of Women and Gender Equality, the Minister of Welfare Meir Cohen has transferred one and a half million shekels to the foundation of a shelter for women who are victims of human trafficking", a press release of the Committee on the Status of Women and Gender Equality, 05/28/2013. <http://main.knesset.gov.il/News/PressReleases/pages/press280513i.aspx>.

## **Aid and support provided by ASSAF to victims of torture and human trafficking**

Ever since survivors of torture camps arrived to Israel, ASSAF has provided them with support and care as part of the different programs it offers the general community of asylum seekers. Yet, since 2013 there has been a great increase in the numbers of applicants, and therefore the scope of ASSAF's work with these victims grew significantly. In 2013 there were 250 victims of torture who received psycho-social care at ASSAF, as well as 39 recognized victims of human trafficking awaiting intake in the state's rehabilitation shelters. In 2014 there was an additional increase in activity with torture victims and trafficking victims, and accordingly, ASSAF adjusted its services to suit the needs of these groups (see below). As of April 2014 there were 70 victims of torture individually accompanied and supported by ASSAF's social workers. There are overall 100-140 victims of torture who benefit from ASSAF's services monthly. This includes the women who participate in the weekly support group for victims of torture, and the victims who come to office hours in ASSAF's advocacy and support center.

### **1. The type of support provided to victims**

As aforementioned, recognized victims of human trafficking who were released from detention and await intake in governmental rehabilitation shelters were referred to ASSAF for help and support. At the same time, ASSAF cares for victims of torture on a daily basis, and over the past year saw a great increase in the number of these applicants. Some of them approach ASSAF due to a deterioration in their mental state, a deterioration that often rose months after their release from imprisonment.

Due to the large numbers of torture victims and trafficking victims who approached ASSAF for help in the past years, ASSAF changed the assortment of services it offers to better address the needs of those victims. As part of this aim, beginning in December 2013 ASSAF hired a social worker and a cultural mediator who both work specifically with victims of torture. The organization's psycho-social support follows the following guidelines (which are consistent to all of ASSAF's services):

### **Safe environment**

ASSAF is a safe place where asylum seekers can always share their traumas and find someone who would listen to them. One of the difficulties faced by many victims of torture is that their community is unable, and often also unwilling to comprehend their pain. Therefore, ASSAF is a safe place to tell and share difficult experiences that cannot be shared elsewhere.

### **A holistic approach to applicant's needs**

The organization is guided by an approach that sees victims' problems as ones that cannot be summed up as localized difficulties and solved ad hoc. These victims' problem incorporate a complex set of social and emotional needs that cannot be addressed locally. This holistic approach is characteristic of all of ASSAF's psycho-social work, but is all the more pertinent to dealing with victims of torture. On top of their physical and mental problems, victims of torture, like other immigrants, face psycho-social challenges related to immigration: separation from family and friends, difficulties adjusting to a new and unfamiliar environment, etc. These are added by concerns typical to all asylum seekers, such as constant uncertainty about the future, fear of being sent back to their counties of origin, financial problems and complex familial situations.

### **Dealing with post trauma**

ASSAF's volunteers received specific training related to working with victims suffering from post-trauma. Many of ASSAF's applicants receive initial support during our office hours, provided by volunteers who are not qualified therapists. Therefore, some of the therapeutic methods we use are specifically fitted for such informal settings. Furthermore, the focus of ASSAF's professional team has also been geared toward post-traumatic problems, emphasizing psycho-educational work as well as raising awareness in the community to issues of post-traumatic symptoms, ways of dealing with such symptoms, tools for self-help, accessibility of treatment and normalization of the traumatic experience and its symptoms.

## **Reducing risks**

Lacking official status, struggling to survive, pushed to the margins of society while being pressured by the government's ongoing efforts to make them leave Israel 'electively', as it were, asylum seekers in Israel are disposed to homelessness, criminal activity, self-abuse and addictions. Asylum seekers who are also victims of torture are in greater risk due to their severe problems, the extent of their suffering and their traumatic past. The support that ASSAF provides cannot 'cure' these victims from their traumas or bring them to full recovery. Still, one of ASSAF's main goals in treating torture victims is reducing the risks they are disposed to.

## **2. Programs for victims of torture and of human trafficking**

**Office hours in the Advocacy and Support Center** – ASSAF's advocacy and support center is one of its kind in Israel. It offers information, consultation and emotional support to asylum seekers in various fields: status, employment, welfare, education, health, etc. The center is open to all asylum seekers in Israel, and this past year we have seen an increase in the number of torture victims who arrive at the center. The center is a safe place where applicants receive sympathy, support, direction and referral to relevant authorities and organizations.

**Support groups for victims of torture and victims of human trafficking** – Due to cultural differences and lack of familiarity with psychotherapy among asylum seekers, many victims of human trafficking and torture are not interested in private psychological treatment. Therefore, much of the work with asylum seekers who are trafficking victims and victims of torture is performed in groups, under the guidance of a social worker.

The first group was for women who are recognized trafficking victims who were released from Saharonim and awaited intake in the state's shelters. The group based its activity on mutual help and support. At large, the group's leader interfered as little as possible in the inside dynamics within the group, to allow participants to be empowered by one another. The guide herself did not raise the subject of Sinai torture camps, and the atmosphere in the group's meetings was generally positive. Since this was an intimate group of young women,

all Eritrean, the group functioned as a place for normative social interaction – a place to love, to laugh, and to develop positive and enabling relationships against all the traumatic and negative experiences they suffered in their past. The fact that all women were Eritrean made the communication within the group much easier; the group's meetings were always attended by an Eritrean cultural-mediator as well.

The women in the group all knew one another from their imprisonment period at Saharonim, and were therefore very close. Every time a new member was released from Saharonim and joined the group, she was warmly received and there was a good atmosphere in the group's sessions. The meetings included various activities such as crafts, cooking, yoga classes, trips to the beach, and more. These activities were meant to restore the women's positive experience of themselves and their bodies.

Starting 2014 there is a support group for women who are victims of torture and were not recognized as trafficking victims. These are not awaiting intake in rehabilitation shelters. This group is led by a social worker who is in charge of programming for victims of torture in ASSAF. An additional group for men who are victims of torture opened in May 2014 as well.

In one of the sessions of ASSAF's support group for women who are trafficking victims, the social worker led an activity of dramatic role-play. Set in couples, each couple of women had to perform a separation: a separation between a mother and daughter, or between two friends; the rest of the group had to guess the identity of the two figures departing from one another. M', a victim who missed many group's sessions, was to perform this role-play with ASSAF's social worker who led the group. M' asked another victim to join her in this activity, and together they took the social worker's headscarf and used it to cover her eyes. They put the social worker against the wall as they were keeping her hands behind her back. The two women started to hit the social worker with a pencil and to yell at her in Arabic. There was silence in the room; the women were upset as they realized that this role-play simulated the torture camps in Sinai. A few minutes later, the silence was replaced by laughter. At the end of this session one of the participants told the social worker that now she could "understand what we have been through there", and that now she is also familiar with some of the memories shared by the women in this group.

**Psycho-social support** – Since its establishment, ASSAF provides support and help to asylum seekers, individuals as well as families, in complex psychosocial situations. These conditions are often worsened by the fact that these people lack basic rights or official status. Due to an increasing need to support victims of torture who have particularly complex problems, ASSAF hired a social worker who is in-charge of programing and care for asylum seekers who are victims of torture. She coordinates the support they receive from different resources based on their condition. This social worker conducts intake meetings with victims of torture, where she gets to know the victim, assess his or her needs, and familiarize the victim with available resources inside as well as outside the organization. At the end of the meeting the social worker and the victim together form a plan for care and accompany. Victims are then referred to continued medical, psychological and psychiatric care.

It should be noted that ASSAF also provides support to asylum seekers who suffer from complex psychological and social problems that may deteriorate them to homelessness and hunger: help with finding accommodation, work, and establishing communal support. In severe cases the organization also provides asylum seekers with financial support and basic food supplies. It is important to stress that ASSAF's ability to provide financial support, food, accommodation and employment is very limited, far from sufficient (in light of the vast range of needs encountered on a daily basis), and is therefore provided only in extreme situations and as a last resort.

**'Edut' (testimony) program** – as part of this program victims of torture meet with ASSAF's professional team and document their experiences in the torture camps in Sinai. We decided to invest in this program and in recording these testimonials based on the recognition that sharing traumatic experiences helped victims to cope with their anxieties and to adjust to life in the community. It also rose from our understanding that within their communities, victims of torture rarely find someone who would listen to them and allow them to feel safe and protected enough to share their past. This program, therefore, is a therapeutic one: a person tells his story in a safe and supportive environment, and the acknowledgment he receives helps better his condition.

### **3. Incorporating cultural mediators in ASSAF's work**

All of ASSAF's work with asylum seekers involves professional staff as well as cultural mediators. The mediators are asylum seekers hired by the organization to accompany the support of asylum seekers. Mediators are both translators and individuals who help bridge cultural differences and improve the communication between asylum seekers and the professional team.

Social workers who guide ASSAF's support groups for victims of human trafficking and torture emphasized the great importance in having a cultural mediator present in the groups' meetings. They stressed the mediator's invaluable contribution to turning the communication between the group and the leader into a positive, direct, and explicit one. The great contribution of cultural mediators is also apparent in ASSAF's office hours, where asylum seekers are required to explain themselves and the reasons for their application.

### **Conclusions and recommendations**

- There is a need to ensure that victims of human trafficking will have access to the process that may recognize them as trafficking victims not only upon their arrival to Israel but in later times as well. The authorities must clarify to asylum seekers at all times what their rights are, and whom they can approach to report their past experiences in order to receive support.
- In case rehabilitation shelters are in full capacity and recognized trafficking victims are released to the care of guardians in the community, they should receive the same services that victims receive during their year of rehabilitation in the shelter. These include professional support by the Ministry of Welfare's staff, and closer supervision over the guardian's work.
- The state of Israel must work to allow recognized trafficking victims to continue to have access to healthcare and welfare services beyond the first year of rehabilitation which they currently receive. Furthermore, in order to facilitate the continuation of their rehabilitation and prevent deterioration back to misery and need, the state must allow them to legally work.

- As aforementioned, the traumas experiences by victims of torture who were not recognized as trafficking victims are often very similar and even identical to those suffered by recognized trafficking victims. Leaving victims of torture without support exposes them to a dangerous and almost certain deterioration in their condition. Israel must therefore establish a procedure to identify victims of torture who are not recognized as trafficking victims. This procedure must be available to all asylum seekers in Israel.
- In order to allow victims of torture to rehabilitate themselves and prevent a dangerous deterioration in their condition, Israel must establish a policy that allows victims of torture who were not recognized as trafficking victims access to welfare and healthcare services. It must also provide them with official work permits.
- Imprisonment has severe impacts on the mental state of victims of torture and human trafficking. The periods that these victims are held in detention must, therefore, be minimized as much as possible.

This report was written by Yotam Gidron and translated by Tamar Mayer. All rights are reserved to: ASSAF – Aid Organization for Refugees and Asylum Seekers in Israel.

**ASSAF** was established in 2007 in response to a sharp increase in the number of refugees and asylum seekers entering Israel. ASSAF provides psychosocial support for refugees and asylum seekers who experienced various traumas in their counties of origin, during the process of their forced immigration, and in their current lives in Israel. Furthermore, ASSAF works to increase public awareness to the suffering of this community and to promoting their rights *vis-à-vis* various state authorities. ASSAF's activity is made possible through the generous support of foundations and private donors, as well as the efforts of our many devoted volunteers. ASSAF's website: [www.assaf.org.il](http://www.assaf.org.il); Email: [assafaid@gmail.com](mailto:assafaid@gmail.com); Telephone: 072-2513838; Fax: 072-2513837.