

## 2019 ANNUAL TRAFFICKING IN PERSONS (TIP) REPORT -

### Input from ASSAF - Aid Organization for Refugees and Asylum Seekers in Israel covering Jan-Dec 2018

#### GENERAL

According to the Population, Immigration and Border Agency, as of 30 June 2018 there were **36,659** asylum seekers (referred to as "infiltrators" in Israeli law) in the State of Israel, including **25,552** Eritrean nationals; **7,252** Sudanese nationals - both groups reside in Israel under a temporary protection policy - as well as other African nationals. According to the same source, **1,345** asylum seekers left Israel from 1 January to 30 September 2015.<sup>1</sup>

**As the report details below, the reporting period has been marked by the following key issues (more details below):**

1. Asylum seekers struggle to access processes for recognition and face unrealistic recognition criteria
2. Asylum seekers who are recognized as victims of trafficking struggle to enjoy redress in the form of adequate rehabilitation and protection services.
3. Due to government policies, including denial of social security and assistance, and financial punitive measures, many asylum seekers are vulnerable to trafficking and abuse in Israel. Asylum seekers who are victims of torture in the Sinai Peninsula do not have access to rehabilitation services in Israel and are particularly vulnerable to such trafficking and abuse.
4. In January 2018, the Israeli Ministry of Justice initiated a limited mapping project to examine the needs and circumstances of around 200 victims of torture camps in Sinai among asylum seekers. No recommendations have been published yet. The project is extremely limited in scope and numbers fail to offer rehabilitation and protection to all that need it.

#### PROTECTION AND ASSISTANCE TO VICTIMS

##### 1. Difficulties accessing identification and recognition

ASSAF started identifying victims of trafficking and submitting their cases for recognition in April 2018.

Here is a brief summary of the issues that we have come across since April 2018, as reflected by the number of people in each stage of the process:

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<sup>1</sup> Population, Immigration and Border Authority, [Foreigners in Israel - 2/2018](#) (July 2018) (Hebrew)

**Number of potential victims of trafficking that went through 1st stage (preliminary) identification: 76**

ASSAF'S team identifies potential victims of trafficking from asylum seekers who approach the organization during open hours, or are already known to ASSAF and are receiving psycho-social support in our program for victims of torture. The burden of identifying potential victims of trafficking among asylum seekers falls almost entirely on NGOs, which are the only channel available to asylum seekers to request recognition of victims of trafficking.

**Number of potential victims of trafficking interviewed by a professional: 28**

Due to limited resources, potential victims are forced to wait long period for an interview by NGOs.

**Number of potential victims of trafficking whose cases submitted for consideration: 10**

NGOs are often forced to take on the government's work, including research, collecting documents from various government agencies and collecting testimonies in order to prepare the cases for submission. Obtaining documentation (medical records, detention protocols etc.) takes long periods of time. Often people need to be interviewed more than once in order to clarify inaccuracies in dates or gaps in memory, as such inaccuracies and gaps are cause of rejection. Unfortunately, many victims do not remember exact details and dates because of the years that have passed since their time in Sinai and because of untreated post-trauma. During the reporting period, 5 victims who were interviewed by ASSAF gave up and were not able to continue with the process because of the psychological strain of repeated questioning.

In addition, many cases are not submitted because the authorities demand eye-witness accounts, which are largely unattainable for the following reasons: 1. long periods of time have lapsed since the victim was trafficked in Sinai and witnesses are no longer available 2. Witnesses refuse to speak because of their own untreated trauma 3. Victims are reluctant to contact witnesses because of the stigma around the abuse they have suffered 4. Sinai victims were typically held with their eyes covered for days and weeks so their testimony often is not considered an eye-witness account. The authorities do not consider the interviews at ASSAF and the psychological assessments as sufficient proof.

**Number of cases recognized as victims of trafficking: 5 (2 rejected, 3 pending)**

The authorities demand victims to have flawless memory of dates and details that is unreasonable considering the years that have passed since they were held in the Sinai Peninsula. Some victims fail to be recognized as victims of trafficking because of such gaps in memory. In addition, one of our cases was rejected because she was in Sinai for “only” ten days and was raped for “only” five days.

Generally speaking, the professional team at ASSAF was under the impression that police representatives ignore the realities of personal and cognitive changes that follow such acute and complex trauma and consider any gaps in memory as “lying”. In addition, requests for proof are sometimes unreasonable. In one case, ASSAF's team was asked to show documentation for the abortion of a woman who became pregnant in Sinai as a result of rape in order to check whether she actually became pregnant in Sinai or had already been pregnant when she entered Sinai. She was finally recognized without such documentation after another official intervened in the case.

As a general comment, the police representatives that decide on cases conduct their inquiry as if victims were criminal suspects and ignore the psychological reality of being a victim of grave abuse. For example, their over-reliance on interviews conducted in Saharonim prison when people just entered Israel overlook the fact that many victims were reluctant to share what had just happened to them in the Sinai Peninsula or were unable to talk about it in detail.

## **2. Lack of genuine redress and services for recognized victims**

Victims of TIP who have been recognized as such by the State of Israel are entitled to one year of shelter and rehabilitative services including healthcare and a B1 work visa. However, many asylum seekers have been living in Israel for many years prior to their recognition and very often have families or are extremely dependent on their communities and reluctant or unable to leave them families behind and enter a shelter. However, those who do not enter a shelter are not formally entitled to healthcare but are still eligible for services at the day center in Mesila in Tel Aviv. For these reasons, , **in practice many victims, particularly those who live far from Tel Aviv, get little or no services as a result of their recognition, even during the first year of rehabilitation.**

In addition, while victims of TIP who are not asylum seekers have the option to return to their home countries after the year of rehabilitation, victims who are asylum seekers and who are under Israel's non-deportation policy remain in Israel and lose their work permits and access to rehabilitative care. Those who do not live in the center of Israel find it hard to get services from

Mesila Day Center that caters for TIP victims after their year of rehabilitation. Many suffer deterioration in their condition as a result.

Since November 2018, new regulations have deducted the percentage of “deposit” that asylum seekers who are victims of trafficking need to pay from their monthly wages from 20% to 6%. However, there are considerable difficulties in implementing such regulation and they require victims to inform employers that they are victims of human trafficking - an unreasonable expectation considering the gravity of abuse and the psychological and emotional strain of sharing such information.

### **3. Asylum seekers victims of torture vulnerable to trafficking and abuse.**

The Israeli authorities have never implemented a mechanism for the identification and rehabilitation of torture victims. ASSAF is the only body in Israel that provides psychosocial support for victims of torture in the Sinai Peninsula; some suffer extreme economic hardship and physical and mental distress. Many were held captive and tortured for ransom and sold by one group of traffickers to another yet do not fit the current criteria for TIP set in Israeli legislation. Left out of the rehabilitative framework for TIP victims and with no suitable care as torture victims, they have little access to essential services. As time go by, and as physical injuries and symptoms of post-traumatic stress disorder |(PTSD) go untreated and victims go without proper rehabilitation, they become less functional, less able to work and provide for themselves and more dependent on others in the community. Such dependency makes them vulnerable to trafficking and abuse.

***B is a 35-year-old Eritrean man. B was sold to traffickers in Sudan by a man he trusted and he was taken to the Sinai Peninsula. He was held in Sinai with 28 other people, with their eyes covered and limbs shackled to each other. For the first few days B was not given any food or water. He was abused, humiliated, severely beaten and strangled with chains until he fainted. After he told his kidnappers that he couldn't pay the 25,000\$ ransom they demanded they sold him on to another group of trafficker that also demanded 25,000\$ ransom for his release. He was tortured and hung from the ceiling by his hands. The traffickers told B and other men victims to rape the women who were held with them. When the men refused they were beaten so badly, that three of them died. On another occasion, the traffickers put a glass on B's head and shot the glass. He survived, but another man was shot in the head and died. After four months B managed to collect the ransom and was released. At the time, he could not walk by himself because of his injuries and was carried across the border by other victims. Due to the trauma he suffered, he struggles to remember many details from the days he entered Israel.***

***B has no access to adequate rehabilitation in Israel. He lived alone for a while because sharing a space with other triggers memories from his captivity, but could no longer afford to live by himself and is currently staying with friends. He suffers from PTSD, struggles to sleep, suffers from headaches, and cries often. The boss at his workplace mistreats him and is abusive towards him, which triggers various memories from his time in Sinai and causes him to break down. He is unable to leave his work because of his mental and physical condition and he still owes money to the people who helped pay his ransom. As B is not recognized as victim of trafficking, 20% is deducted from his salary every month and he is struggling to pay for his medications, rent and food. Without his medications, his condition continues to deteriorate.***

Women victims of torture are particularly vulnerable to exploitation, including sexual exploitation, forced marriages and violence as a result of their lack of self-sufficiency and inability to support themselves or because of untreated mental condition.

***M, an Eritrean mother of two, was held in Sinai for three months. She was beaten, subjected to electric shocks, and raped. During her captivity M used to clean her captives' homes and was their translator. M suffers from PTSD, can't be around many people, becomes very anxious around loud noises and suffers from very low self-esteem. Her symptoms make it impossible for her to work and she has been forced into prostitution in order to provide for her children. M has also suffered abuse at the hand of her former partner and father of her children and is afraid of him.***

#### **4. Ministry of Justice limited mapping project - victims of torture in the Sinai Peninsula**

In January 2018, following increasing pressure, the Israeli Ministry of Justice initiated a limited mapping project regarding victims of torture in Sinai. The project was presented to NGOs as a pilot project aimed at mapping the needs of the most acute cases among victims of torture in Sinai. NGOs in the field submitted more than 100 cases to the project, which was due to complete in June 2018, with recommendations put forward in July. However in July 2018 the project, NGOs were informed that the project is no longer a "pilot" which means there will be new cases considered for support in the future. The project completed with a total of around 200 cases. The project team comprised of representatives from the Population and Immigration and Border Authority, and the Ministries of Health, Justice and Social Services. However, the draft recommendations for the support package offered to those who are find eligible under the scheme included only support in the from extended staying permits (from the usual two-month visas to six-months visas); access to the Mesila Day

Center in Tel Aviv, which is extremely under budgeted and understaffed and is unsuitable for those living far from the center of Israel; and no concrete support in the form of healthcare. The final recommendations have not yet been submitted for government approval.

It is essential that the project paves the way to a systematic and permanent identification mechanism and specialized, holistic rehabilitation services, including medical, psychological, and psycho-social assistance, accessible to all victims of torture, and not just a handful of acute cases of torture in the Sinai Peninsula. The recommendations, once published, must be followed by swift budgeting and implementation.