

2021 ANNUAL TRAFFICKING IN PERSONS (TIP) REPORT -

Input from ASSAF - Aid Organization for Refugees and Asylum Seekers in Israel covering April 1, 2020 to March 31, 2021

GENERAL

According to the Population, Immigration and Border Agency, as of October 2020 there were **31,012** asylum seekers (referred to as "infiltrators" in Israeli law) in the State of Israel, including **21,890** Eritrean nationals; **6,285** Sudanese nationals - both groups reside in Israel under a temporary protection policy - as well as other African nationals.¹

The outbreak of the Covid-19 crisis in Israel, in March 2020, and the ensuing lockdowns have devastated the asylum seekers' community. It is estimated that up to **80%** of asylum seekers have lost their jobs, and without being entitled to unemployment benefits many are struggling to feed themselves and their families and maintain their homes as they are unable to pay rent.

The ongoing experience of ASSAF - Aid Organization for Refugees and Asylum Seekers in Israel during the reporting period has raised the following key observations (more details below):

1. **Difficulties of torture victims to access identification and recognition** - Asylum seekers who are torture victims from the Sinai Peninsula struggle to access the recognition process and face unrealistic recognition criteria. NGOs estimate that only 10% have been recognized as TIP victims so far.

2. **Lack of genuine redress and services for recognized victims** - Asylum seekers who are recognized as victims of trafficking struggle to enjoy redress in the form of adequate rehabilitation and protection services.

3. **Vulnerability of asylum seekers who are victims of torture to trafficking and abuse** - Due to government policies, including denial of social security, health insurance and welfare services, many asylum seekers are vulnerable to trafficking and abuse in Israel. Asylum seekers

¹ Population, Immigration and Border Authority, [Foreigners in Israel - 3/2020](#) (October 2020) (Hebrew)

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. Israeli Ministry of Justice's limited mapping project regarding torture victims has not yet been set in motion - Three years have passed since the Israeli Ministry of Justice initiated a limited mapping project to examine the needs and circumstances of around 200 victims of torture camps in the Sinai Peninsula among asylum seekers, but its recommendations have not yet been published. Not only is the project extremely limited in scope and in numbers as it fails to offer rehabilitation and protection to all that need it, its implementation is long due.

FURTHER DETAILS ON AFOREMENTIONED OBSERVATIONS

1. Difficulties of torture victims to access identification and recognition

ASSAF's team identifies potential victims of trafficking from asylum seekers who approach the organization during reception 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 as victims of trafficking. 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. Victims often need to be interviewed more than once in order to clarify inaccuracies in dates or gaps in memory, as such inaccuracies and gaps can be grounds for rejection. Unfortunately, many victims often do not remember exact details and dates due to untreated post-trauma and the lengthy time period that has passed since they were trafficked.

In addition, many times ASSAF's team reluctantly decided not to submit victims for recognition as the authorities now require victims to provide eye-witness accounts. Such eye-witness accounts 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.

The authorities' unreasonable expectation that victims have flawless memory of dates and details despite the lengthy periods that have passed since they were held in the Sinai Peninsula, is another significant reason for many failed applications. NGOs estimate that only 10% of the Sinai torture victims were recognized as TIP victims.

Therefore, the government's strict evidentiary standard for granting official victim status and the length of the recognition process currently prevent submission of almost all cases of trafficking among Eritrean and Sudanese asylum seekers for fear that the application process would re-traumatize the victims without resulting in recognition.²

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 are reluctant or unable to leave their families behind and enter a shelter. 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 B1 work visa 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.

3. Vulnerability of asylum seekers who are victims of torture to trafficking and abuse

² 2020 Trafficking in Persons Report, State Department, 272 <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>

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.

Like all asylum seekers, torture victims are not entitled to social security, health insurance and almost all welfare services. In April 2020, the Israeli High Court ruled unlawful the “Deposit” law provision ordering 20% deduction of asylum seekers’ salary (and 6% deduction in cases of recognized human trafficking victims).

The Covid-19 health and economic crisis, however, has devastated torture victims among asylum seekers. It has affected their already weak economic state and worsened their emotional state. With no adequate rehabilitation treatment, the pandemic has catastrophic effects on them and has made torture victims even more vulnerable to traffic and abuse than they were before.

Due to the aforementioned social and health government policy and following the Covid-19 health and economic crisis, the state of most asylum seekers has deteriorated considerably and has made them more vulnerable to trafficking and abuse.

As time goes 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. The recent lockdowns and growing presence of police in the streets have affected the emotional deterioration of many torture victims, reminding them of the times they were imprisoned, persecuted and tortured. This has effects on all aspects of their lives:

- **Livelihood** - Many torture victims among asylum seekers are unable to maintain a job and provide for themselves and their families although they are aware of the importance of maintaining a job particularly in these hard times. Thus, they are more dependent on others in the community and such dependency makes them vulnerable to abuse, exploitation, and possible trafficking.
- **Interpersonal relationships** - Years of untreated PTSD and the effects of the Covid-19 crisis have weakened the ability of some torture victims to maintain interpersonal relationships. ASSAF’s staff has noticed an increase in marital crisis, including torture victims or their spouses

leaving home and family. An increase in clashes with spouses and children (who stay at home due to the lockdowns) has also been noticed.

- **Accommodation** - Without a job, paying rent has become impossible and many asylum seekers have found themselves in fear of evacuation from their rented apartments. Torture victims have a harder time coping with this fear: although according to Israeli law the landlord cannot forcefully evacuate the tenant without a court order, some torture victims treated by ASSAF's staff had a hard time believing that the landlord would obey the law and not forcefully evacuate them. One such torture victim did not leave his apartment for months for fear of the disease and of forceful evacuation.
- **Psychiatric and emotional therapy** - Treatment of many torture victims has been affected by the Pandemic and the lockdowns; The state's psychiatric clinic ("Ruth" clinic in Tel-Aviv) has stopped face-to-face therapies and has started therapies by phone. Some torture victims could not adjust to this change and ceased receiving treatment. Some have tried to adjust but found it impossible to conduct phone conversations with the therapist from home due to lack of privacy, fear of eavesdropping and intrusive memories from phone calls to family while held captive in Sinai. At times, during the lockdowns, torture victims, especially those residing outside Tel-Aviv, were afraid to go to the psychiatric clinic to receive their medication for fear they would be stopped and questioned by the police.

The Story of A, an Eritrean woman, torture survivor

A is a 31-year-old Eritrean woman. She was held in captivity in the Sinai Peninsula for three months. Her kidnappers demanded a large sum of money for her release. During her captivity, A was repeatedly and systematically raped by her kidnappers. She was also sexually abused in other ways and starved. When A was totally exhausted by the tortures, she was left in a room corner for days. A testifies that at that point she lay for days in a puddle of water with moss growing all over her. A has suffered for years from the effects of her captivity and torture; she has suffered from nightmares, insomnia, inability to maintain a job, inability to be in crowded places, and many more symptoms compatible with PTSD.

A has no access to adequate rehabilitation in Israel and receives support from one of ASSAF's social workers. Due to this support, A, who is now married with two children (aged 7 and 2),

had started rehabilitating her life and was even searching for a job, when the Covid-19 crisis erupted and has wrecked her rehabilitation attempts. Following the pandemic and the lockdowns A's husband lost his job and has not worked for almost a year and the family's economic situation has deteriorated. A's emotional state has also deteriorated: she has lost her appetite and lost a lot of weight. She has also started having severe headaches and flashbacks of memories from her days in Sinai. Because of the lockdowns A has stopped receiving psychological therapy and is hardly able to cope with her children. These days, there is a lot of tension in A's home: all family members experience bursts of outrage, quarrels and tears. Without proper rehabilitation A's and her family's condition continues to deteriorate.

The Story of B, an Eritrean man, torture survivor

B is a 34-year-old man from Eritrea. B was kidnapped in Sudan and brought by his kidnappers to the Sinai Peninsula where he was held captive for two months. His kidnappers demanded \$28,000 for his release. During the time he was held captive, he was shackled, electrocuted, badly beaten and raped. B is suffering, mentally and physically, from the effects of his captivity and torture; he has gone through a surgery to repair an injury afflicted to his ear from the beating and is suffering from nightmares, anxieties and difficulties in daily functioning.

Today, B receives psychiatric medication, but its effects are partial because B has no access to adequate and comprehensive rehabilitation services in Israel. B is married with two small children and his wife is the main breadwinner as well as the main caretaker of the children. Following the outbreak of the pandemic and the lockdowns B's emotional state has deteriorated: he is more forgetful, experiences more difficulties concentrating, loses his temper more often and suffers increased nightmares. The deterioration in B's situation affects his wife and children, up to the point that his wife is afraid for her children.

4. Ministry of Justice's limited mapping project regarding torture victims has not yet been set in motion

In January 2018, following increasing pressure, the Israeli Ministry of Justice initiated a limited mapping project regarding the Sinai torture victims. The project was aimed at mapping the needs of the most acute cases among these victims. ASSAF, alongside other NGOs in the field, submitted to

the Ministry of Justice around 200 of the most acute cases. By mid-2018 the project team submitted its draft recommendations to the interministerial Director-Generals' Committee headed by the General Director of the Ministry of Justice. The final recommendations of the committee were due to be presented to a Knesset sub-committee on 1 January 2019, but they were never presented or published due to the dissolution of the Knesset by the end of 2018.

In December 2020, following several appeals by NGOs, the Director-Generals' Committee approved the recommendations subject to budget allocation for their implementation from the Ministry of Finance. The budget request is still pending.

It is essential that the project be implemented and pave 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.