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USDOS – US Department of State

Trafficking in Persons Report 2017 - Country Narratives - Israel

ISRAEL: Tier 1

The Government of Israel fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Israel remained on Tier 1. The government demonstrated serious and sustained efforts by identifying and providing protective services to victims of all forms of trafficking. It continued to operate shelters and other facilities that provided victims a wide variety of immediate and long-term care and rehabilitative services. The government obtained more convictions of traffickers and its trafficking victim compensation fund began to disburse funds in 2016. The government continued to implement strong anti-trafficking prevention measures. Although the government meets the minimum standards, it issued sentences that were inadequate based on the nature of the crime to some convicted traffickers. While the government identified and provided some care to trafficking victims among the detained irregular African migrant population, because of inadequate screening, it continued to detain unidentified victims for long periods for immigration violations.

RECOMMENDATIONS FOR ISRAEL

Impose stricter sentences on convicted traffickers, consistent with the seriousness of the crime; proactively screen irregular migrants who endured abuses in Egypt’s Sinai Peninsula to ensure trafficking victims are not penalized, including by detention, for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations; continue to provide protection for all trafficking victims, including shelter and medical and psycho-social treatment; increase and train the number of labor inspectors, social workers, and interpreters in the agricultural, construction, and caregiving sectors; increase training for law enforcement, including police and prison officials, in victim identification, and enforcement of labor and sex trafficking laws; negotiate full-scale bilateral labor agreements in the caregiving sector; and increase enforcement of foreign worker labor rights.

PROSECUTION

The government maintained efforts to prosecute traffickers, but several convicted traffickers received lenient sentences. The 2006 anti-trafficking law criminalizes all forms of human trafficking and prescribes penalties of up to 16 years imprisonment for the trafficking of an adult, up to 20 years imprisonment for the trafficking of a child, up to 16 years imprisonment for slavery, and up to seven years imprisonment for forced labor. These penalties are sufficiently stringent and those pertaining to sex trafficking are commensurate with those prescribed for other serious crimes, such as rape. Under 376A of the Penal Law 5737-1977, holding a person's passport against their will carries a penalty of three to five years imprisonment.

In 2016, police initiated 310 investigations of potential trafficking crimes (279 for sex trafficking and 31 for forced labor), compared to 392 investigations (234 sex trafficking and 158 forced labor) in 2015. In 2016, the government initiated three prosecutions for suspected sex traffickers and none for forced labor, compared with nine sex trafficking and no forced labor prosecutions in 2015. It continued 18 prosecutions that were initiated in previous reporting periods, including 17 for sex trafficking and one for forced labor. In 2016, the government convicted 16 individuals for sex trafficking—including eight for “purchasing prostitution services from a minor,” two of which were also convicted for “facilitating prostitution of a minor”—and one for forced labor, compared to three for sex trafficking and none for forced labor in 2015. Some courts issued sentences as high as seven years imprisonment; however, many traffickers received sentences of ‘community service’ similar to probation and financial penalties, which provide inadequate deterrent effect given the serious nature of the crime. In 2016, eight offenders were given sentences under the trafficking statutes that ranged from “service to the community” to seven years imprisonment, while three convictions awaited sentencing at the end of the reporting season.

The government continued to report challenges in prosecuting trafficking cases, as many victims preferred repatriation and were unwilling to remain in Israel to serve as witnesses in criminal cases against their traffickers. In 2016, the government coordinated with Ukraine on a sex trafficking case. The government reported two investigations of government officials suspected of trafficking-related complicity. The government continued to provide extensive anti-trafficking training, awareness-raising workshops, and seminars to more than 360 officials in various ministries, including training for police officers on procedures for appropriately handling child sex trafficking cases.

PROTECTION

The government maintained efforts to identify and protect victims of all forms of trafficking, but unidentified victims among the African migrant population remained vulnerable to detention for immigration violations and therefore could not access full government services appropriate for victims of trafficking crimes. The government continued to circulate victim identification guidelines widely to relevant ministries, which regularly referred potential victims to the police to open investigations and ensure provision of protective services. Authorities continued to cooperate with NGOs

on victim identification and referral. However, only one police officer in the country is authorized to interview and adjudicate applications for status as a victim of trafficking, leading to significant delays. Partly as a result of this understaffing, authorities identified only 47 trafficking victims and referred them to shelters in 2016, compared to 63 identified victims in 2015.

The government continued to provide a wide range of protective services for victims of all forms of trafficking. The government continued operating a 35-bed shelter for female trafficking victims and a 35-bed shelter for male trafficking victims; shelter residents were provided work permits and allowed to leave freely. These shelters offered one year of rehabilitation services, including job training, psycho-social support, medical treatment, language training, and legal assistance. The government also funded transitional apartments with 18 beds for trafficking victims, and a six-bed transitional apartment for male trafficking victims. In 2016, the female shelter assisted 29 victims, including 19 victims newly referred to the shelter. In 2016, the men’s shelter assisted 23 newly referred trafficking victims, including 12 male sex trafficking victims, and continued to assist 28 victims who entered the shelter in 2015. Twelve Eritrean men resided in the men’s transitional apartments during the reporting period. The Ministry of Social Affairs continued to operate a day center in Tel Aviv for male and female trafficking victims who chose not to reside at a shelter and to assist with victims’ transition from the shelter to the community. The day center provided psycho-social services and food aid, and social workers at the center were trained to identify individuals at risk of trafficking and refer them to shelter services. In 2016, the center provided services to 182 men and women, primarily Eritrean. The government also operated six centers for child sex trafficking victims and at-risk youth vulnerable to sex trafficking, which provided medical and rehabilitation services to children; the government assisted 450 minors at these centers in 2016, but reported that none of them were trafficking victims. Additionally, for identified trafficking victims who opted not to stay in shelters, the government provided an official letter that protected them from potential arrest for immigration violations and emergency contact numbers for shelters and relevant ministries. Identified trafficking victims living outside of shelters were also entitled to receive free emergency medical and psychiatric treatment at various government-funded health facilities; authorities continued to train medical care providers in identification and treatment of trafficking victims.

The government forfeiture fund established in 2006 to use property and money confiscated from traffickers to assist victims began disbursing funds, allocating 518,306 shekels (\$134,940) in 2016. The Ministry of Justice (MOJ) legal aid branch continued to provide free legal aid to trafficking victims. In 2016, the branch received 150 legal aid requests from victims, including 77 irregular migrants who may have been subjected to trafficking in the Sinai and 14 victims with disabilities. In 2016, the government issued victims 36 initial B1 visas—unrestricted work visas—and 38 extensions. By law, all victims residing in the shelters were provided B1 visas. The government coordinated with Canadian officials to organize a deposition via videoconference from an Israeli sex trafficking victim, although the victim ultimately decided not to testify. The government continued to encourage victims to assist in the investigation and prosecution of their traffickers, but did not require their participation as a condition for receiving visas and

protective assistance; victims could also opt to leave the country pending trial proceedings. The government allowed trafficking victims to work during the investigation and prosecution of their traffickers. In total, the government provided medical care to 122 identified trafficking victims, including 11 children.

Although trafficking victims were not punished for acts committed as a direct result of being subjected to human trafficking, the government lacked a formal process to identify or proactively screen for victims among irregular migrants, who may have been exploited in Egypt’s Sinai Peninsula, detained for immigration violations. As a result, authorities regularly detained unidentified trafficking victims among the irregular African migrant population—including those who were abused in the Sinai—for immigration violations under the Law of Infiltration for one year without trial or conviction. Although the government characterized Holot as an open facility to house irregular migrants, an international organization and Holot residents claimed it is a de facto detention center due to its remote location in the desert and restrictions on movement. NGOs and the MOJ struggled to identify and gain the release of victims from Holot, and from the Saharonim and Giv’on prisons, and reported non-responsiveness on the part of the Population Immigration and Border Authority (PIBA) to claims that a detainee is a victim of trafficking. The National Anti-Trafficking Unit (NATU) reported it conducted an inter-ministerial visit to Holot in February 2017 to improve identification of trafficking victims among detainees. Following the inspection, the government began to plan a training for all Israeli Prisons Service workers at Holot, Saharonim, and Giv’on facilities. The government released one trafficking victim from Holot and 13 from the Giv’on prison and referred them to protective services during the reporting period.

PREVENTION

The government maintained strong efforts to prevent and raise awareness of human trafficking among the public and government officials. NATU continued to coordinate anti-trafficking efforts effectively among relevant ministries and NGOs during the reporting period and NATU officials appeared regularly in the media to raise awareness of trafficking. NATU created a new inter-ministerial forum to facilitate knowledge-sharing within the legal departments of each ministry; the forum met twice during the reporting period. NATU continued to chair an inter-ministerial committee appointed to study women and children in commercial sex in Israel. The Knesset Committee on Trafficking in Women and Prostitution met regularly and coordinated with various ministries to address sex trafficking issues and policies during the reporting period. The government provided anti-trafficking training for its diplomatic personnel.

PIBA, under the Ministry of Interior, continued to monitor recruitment agencies and manpower companies for labor law violations. The Ministry of Labor, Social Affairs, and Social Services (MLSS) which employed 261 labor inspectors and contracted translators during routine inspections, issued 1,518 administrative warnings and imposed seven fines on employers for labor violations in 2016. MLSS’s ombudswoman for foreign workers’ rights received and responded to 1,500 complaints of labor law violations and referred these complaints to relevant authorities for follow-up or investigation. The

government partnered with the Ministry of Health to produce and distribute an informational brochure on victim identification and relevant anti-trafficking resources, translated into Hebrew, Arabic, English, and Russian, to health services companies, hospitals, manpower companies, local authorities, and other government officials. In accordance with PIBA procedures for recruitment agencies in the caregiving sector, it continued to require every agency to hire a licensed social worker responsible for supervising the conditions of foreign caregivers, including home visits, and for informing relevant authorities about labor violations. The government, in collaboration with a NGO, continued to operate a 24-hour hotline to assist foreign workers who are in Israel under bilateral agreements. The hotline employed nine translators in six languages: Thai, Bulgarian, Russian, Nepalese, Sinhalese, and Romanian. In 2016 the hotline received 1,026 calls, the majority from Thai agricultural workers.

The government continued efforts to reduce the demand for commercial sex acts and to address sex tourism. In 2016, law enforcement collaborated to shut down six brothels for a period of 30 to 90 days. The anti-trafficking unit worked with tourism organizations to promote awareness of sex trafficking in the hotel and hospitality sector.

TRAFFICKING PROFILE

As reported over the past five years, Israel is a destination country for men and women subjected to forced labor and sex trafficking as well as, to a lesser extent, a source country for men and women subjected to sex trafficking within Israel. Foreign workers, primarily from Southeast Asia, Eastern Europe, and the former Soviet Union, migrate to Israel for temporary contract labor in construction, agriculture, and caregiving; some of these workers are subjected to forced labor. An international organization reported in 2015 that some Thai men and women are subjected to forced labor in Israel's agricultural sector, where their passports were withheld, and they experience long working hours, no breaks or rest days, and difficulty changing employers due to limitations on work permits. A 2013 report noted men from the Philippines, Sri Lanka, and India worked on fishing boats under harsh conditions, some of which constitute human trafficking, distinguished by isolation, long working hours, and withheld salaries. Caregivers are highly vulnerable to forced labor due to their isolation inside private residences, high recruitment fees, and their lack of protection under the labor law. The Philippine Embassy reports Filipino workers pay recruiters in the Philippines high fees to secure work in Israel and the requirement to repay this amount results in significant hardship for the workers and increases their vulnerability to forced labor. Persons with disabilities, particularly foreigners, are vulnerable to forced labor, in particular in street begging. Women from Eastern Europe and the former Soviet Union, Uzbekistan, China, and Ghana, as well as Eritrean men and women, are subjected to sex trafficking in Israel; some women arrive on tourist visas to work willingly in prostitution, but are subsequently exploited by sex traffickers. NGOs report some Palestinian LGBTI persons are vulnerable to abuse and exploitation, due to their legal status and restrictions on work eligibility for Palestinian nationals in Israel. Some Israeli women and girls may be victims of sex trafficking in Israel. Since 2007, thousands of African migrants have entered Israel from Egypt's Sinai Peninsula. Although the flow of these migrants arriving

in Israel has dramatically decreased from more than 17,000 in 2011, at least 18 irregular migrants arrived in Israel in 2016. Many of these migrants were kidnapped in the Sinai Peninsula and subjected to severe abuse, including forced labor and sex trafficking, at the hands of criminal groups in the Sinai before reaching Israel. Eritrean and Sudanese male and female migrants and asylum-seekers are highly vulnerable to sex and labor trafficking in Israel.

ecoi.net summary:

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