



2016 Trafficking in Persons Report - Israel

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ISRAEL: Tier 1

Israel is a destination country for men and women subjected to forced labor and, to a much lesser extent, a source country for men and women subjected to sex trafficking. Migrant workers primarily from Asia, Eastern Europe, and West Africa migrate to Israel for temporary contract labor in construction, agriculture, caregiving, and fishing; 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 are withheld, and they experience long working hours, no breaks or rest days, and difficulty changing employers. In 2013, 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 that Philippine workers are paying recruiters in the Philippines fees of \$12,000 to go to Israel for work and that the requirement to repay this amount results in significant hardship for the workers. Foreign caregivers are legally limited to employment in a geographic area and type of work, though the government reports foreign caregivers are free to change employers without special permission from their current employers; nevertheless, NGOs continue to raise concerns that these regulations bind caregivers to their employers and increase their vulnerability to exploitation. Persons with disabilities, particularly foreigners, are vulnerable to forced labor, such as street begging. Women from Eastern Europe, 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. Many of these migrants were kidnapped along the Eritrea-Sudan border or within Sudan and subjected to severe abuse, including forced labor and sex trafficking, at the hands of criminal groups in the Sinai before reaching Israel. Although the flow of these migrants arriving in Israel has dramatically decreased from more than 10,000 in 2012, the Israeli government reported the arrival of 168 irregular migrants in 2015, an increase from the 21 migrants who arrived in 2014. The remaining 43,000 Eritrean and Sudanese male and female migrants and asylum-seekers are highly vulnerable to sex and labor trafficking.

The Government of Israel fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate strong efforts to identify and provide 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 sustained law enforcement actions against sex and labor trafficking, though prosecution and convictions decreased slightly from the previous year. In 2015, fourteen traffickers received sentences that included serving time in prison commensurate with the severity of the crime. Though the government continued to identify and provide some care to trafficking victims among the detained irregular African migrant population, unidentified victims continued to be susceptible to long-term detention for committing immigration violations. The government continued to implement strong anti-trafficking prevention measures.

RECOMMENDATIONS FOR ISRAEL:

Continue to impose stricter sentences on convicted traffickers, consistent with the gravity of the crime; 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; further strengthen victim identification and referral measures among African migrants in detention facilities, especially those who endured severe abuses in Egypt's Sinai Peninsula; continue to provide protection for all trafficking victims, including shelter and medical and psycho-social treatment; further 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, victim sensitivity, and enforcement of labor and sex trafficking laws; and increase enforcement of foreign worker labor rights.

PROSECUTION

The government continued to make progress in effective prosecution of traffickers under the anti-trafficking law, but some convicted traffickers received low sentences. The 2006 anti-trafficking law prohibits 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 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 2015, the police initiated 234 investigations of potential sex trafficking crimes, including 23 related to child sex trafficking; it also opened 158 suspected forced labor investigations, three of which involved withholding of passports. In 2015, the government prosecuted nine suspected sex traffickers and zero labor traffickers, compared with 14 sex trafficking and zero labor trafficking prosecutions in 2014. In 2015, the government convicted three sex traffickers and no forced labor offenders, a significant decrease from 18 sex traffickers and one labor trafficker convicted in 2014. Courts continued to issue sentences to some traffickers that are sufficiently stringent and commensurate with other serious crimes. However, many traffickers received sentences of suspended jail time, 'community service' similar to probation, and financial penalties; these sentences are neither sufficiently stringent nor commensurate with those prescribed for other serious crimes. In 2015, fourteen offenders – some of whom were convicted in 2014 – were given sentences that ranged from 'service to the community' to 16 years' imprisonment. The government continued

to report challenges to prosecuting sex trafficking and forced labor cases, as many victims preferred repatriation and were unwilling to remain in Israel to serve as witnesses in criminal cases against their traffickers. In 2015, the government coordinated with INTERPOL and Russian authorities to issue extradition requests for suspects involved in sex trafficking cases. The government also requested legal assistance from Russian authorities to collect testimonies from Russian trafficking victims for an ongoing sex trafficking investigation against alleged Israeli suspects. The government did not report efforts to prosecute or convict any officials allegedly complicit in trafficking offenses. However, in 2015, the government charged a police officer for alleged involvement in protecting the operation of a brothel, but it was unclear if the officer was charged for trafficking crimes. The government continued to provide extensive anti-trafficking training, workshops, and seminars to officials in various ministries, including training for police officers on procedures for appropriately handling child sex trafficking cases.

PROTECTION

The government continued to demonstrate strong efforts to identify and protect victims of all forms of trafficking, but unidentified victims among the African migrant population remained vulnerable to detention and thereby 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. In 2015, authorities identified 50 trafficking victims and referred them to shelters; in addition, police also identified 13 victims during raids on brothels. Despite these efforts, an NGO reported having difficulty coordinating with the police's foreign workers investigation unit (SAAR) during the reporting period; the NGO reported referring to SAAR 13 cases of labor violations – some of which were potential forced labor cases – but it was unclear if authorities followed up on such cases.

The government continued to provide a wide range of protective services for victims of all forms of trafficking. The government maintained its funding for the 35-bed Maagan shelter for female trafficking victims and a 35-bed Atlas shelter for male trafficking victims; shelter residents were provided work permits and allowed to leave freely. Due to low occupancy numbers and no new victim referrals, the government closed its 18-bed Tesfa shelter in July 2015, which specifically catered to the cultural and social needs of female victims from Eritrea and Ethiopia. At the time of its closing, its 13 residents, including one infant, were relocated to other shelters for care. These shelters offered one year of rehabilitation services, including job training, psychosocial 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 specifically for male trafficking victims. In 2015, the Maagan shelter assisted 44 victims, including 24 victims newly referred to the shelter; eight of the residents resided in the shelter with their children and 15 of those newly referred were Eastern European. In 2015, the Atlas shelter assisted 39 newly referred trafficking victims, including 15 male sex trafficking victims, and it continued to assist 26 victims who entered the shelter in 2014. During the reporting period, eight Atlas shelter residents participated in a training program to work in the welding sector; seven of the program's participants received an internationally-recognized professional diploma after completing the training, and four subsequently sought work in their area of expertise. The Ministry of Social Affairs continued to operate a day center in Tel Aviv for male and female African trafficking victims who chose not to reside at a shelter and to assist with victims' transition from the shelter to the community. The

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 2015, the center provided services to 141 men and women, primarily Eritrean, all of whom were identified by police as trafficking victims abused in the Sinai. 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 did not report how many trafficking victims were assisted at these centers during the reporting period. Additionally, for those identified trafficking victims who opted not to live in shelters, the government provided an official letter that protected them from potential arrest and emergency contact numbers for shelters and relevant ministries. Identified trafficking victims living outside of shelters were also allowed 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 Ministry of Justice (MOJ) legal aid branch continued to provide free legal aid to trafficking victims. In 2015, the branch received 132 legal aid requests from victims, including 82 African migrants and asylum-seekers, who were trafficking victims in the Sinai, and eight victims with disabilities. In 2015, the government issued 99 B1 visas – unrestricted work visas – and one-year rehabilitation visas to trafficking victims, which included 29 newly identified victims. By law, all victims residing in the Maagan and Atlas shelters were provided B1 visas. In 2015, the government provided repatriation assistance to eight trafficking victims in coordination with an international organization. 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 130 identified trafficking victims, including 11 children.

Although most trafficking victims were not punished for acts committed as a direct result of being subjected to human trafficking, authorities regularly detained trafficking victims among the irregular African migrant population – including those who were abused in the Sinai – for immigration violations under the Law of Infiltration. An amendment to the infiltration law, which determines irregular African migrants remain in prison for three months followed by 12 months in the Holot holding facility, went into effect in February 2016. Although the government characterized Holot as an open facility, an international organization and Holot residents claimed it is a de facto detention center due to its remote location in the desert and restrictive requirements on movement. Despite this, an NGO reported the government's process to identify trafficking victims among African migrants abused in the Sinai improved during the reporting period. It was unclear how many trafficking victims were released from Holot and referred 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. The national anti-trafficking unit continued to coordinate anti-trafficking efforts effectively among relevant ministries and NGOs during the reporting period; it also conducted training and awareness-raising workshops for officials, including a train-the-trainers program, and maintained a website on human trafficking. The anti-trafficking unit continued to chair an inter-ministerial committee appointed to study women and children in

prostitution in Israel. The Knesset subcommittee on trafficking in women and prostitution was dissolved in 2015, but its mandate was reassigned to fall under the Knesset Committee on the Status of Women and Gender Equality; this committee met regularly and coordinated with various ministries to address sex trafficking issues and policies during the reporting period. In February 2016 the sub-committee on trafficking in women was officially re-established. The government provided anti-trafficking training for its diplomatic personnel.

The government continued efforts to reduce the demand for forced labor. In 2015, the government reported prosecuting 15 offenders and convicted nine offenders for fraudulent labor recruitment of foreign workers; six of these were corporations. The Population Immigration and Border Authority (PIBA), under the Ministry of Interior, continued to monitor recruitment agencies and manpower companies for labor law violations. The Ministry of Economy (MOE), which employed 274 labor inspectors and contracted translators during routine inspections, initiated 1,007 investigations, issued 2,429 administrative warnings and imposed 23 fines to employers for labor violations in 2015. MOE's ombudswoman for foreign worker's rights received and responded to 1,300 complaints of labor law violations in agriculture and referred 90 percent of these complaints to relevant authorities for follow-up or investigation. The government partnered with NGOs to produce and distribute to manpower agencies an informational brochure on victim identification and relevant anti-trafficking resources. 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 civil society organization, continued to operate a 24-hour hotline to assist foreign workers who are in Israel under bilateral agreements.

The government continued efforts to reduce the demand for commercial sex acts and to address sex tourism. In 2015, the state attorney's office and law enforcement entities collaborated to shut down five brothels for a period of 30 to 90 days to prevent sex trafficking crimes. In 2015, courts convicted five defendants for purchasing commercial sex with children; sentences given to the offenders ranged from 16 years' imprisonment to a suspended sentence. The anti-trafficking unit worked with tourism organizations to promote awareness of prostitution and sex trafficking in the hotel and hospitality sector. The law prohibits Israeli nationals from engaging in child sex tourism abroad.