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2020 Trafficking in Persons Report: 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. These efforts included convicting more traffickers and identifying more trafficking victims overall. The government continued to operate shelters and other facilities that provided victims a wide variety of immediate and long-term care and rehabilitative services. The government forfeiture fund provided more monetary assistance to victims than in the previous reporting period. Although the government meets the minimum standards, it penalized some identified and unidentified trafficking victims among the irregular African migrant population for immigration violations. The government also continued to implement policies that exacerbated this population's vulnerability to trafficking, especially among Eritrean women, and the government's victim identification procedures delayed or prevented some victims from receiving appropriate protection services. Additionally, as of January 2020 the Police Anti-Trafficking Coordinating Unit (PTC), which remained the only authority to officially recognize victims of trafficking, was reduced to one police officer for the entire country; this further impacted the efficiency of victim identification procedures and referral of victims to protection services.

PRIORITIZED RECOMMENDATIONS:

Proactively screen irregular African migrants to ensure trafficking victims among this population are not penalized for unlawful acts traffickers compel them to commit, such as immigration violations. • Significantly increase the number and geographic dispersion of government officials, including police officers, authorized to officially recognize identified trafficking victims, including victims referred by NGOs, to allow for more efficient access to protection services. • Significantly increase investigations, prosecutions, and convictions of labor trafficking offenders. • Sentence convicted traffickers to adequate penalties, which should involve significant prison terms. • Substantially increase anti-trafficking awareness and victim identification trainings for police officers at regional and local levels. • Provide access to the national healthcare system for victims of all forms of trafficking, including shelter and medical and psycho-social treatment, for the duration of their presence in Israel. • Increase the number of labor inspectors, social workers, and interpreters in the agricultural, construction, and caregiving sectors, and provide them with training on victim identification procedures. • Increase enforcement of foreign worker labor rights. • Take steps to eliminate recruitment fees charged to workers by licensed labor recruiters and ensure any recruitment fees are paid by employers. • Designate a Knesset committee or subcommittee to address labor trafficking. • Amend the 2006 anti-trafficking law to include a definition of human trafficking consistent with international law. • Increase methods of evaluating effectiveness of training for law enforcement, including police and prison officials, in victim identification and enforcement of labor and sex trafficking laws.

PROSECUTION

The government maintained overall law enforcement efforts, decreasing investigations and prosecutions while significantly increasing convictions. The 2006 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of up to 16 years' imprisonment for the trafficking of an adult and up to 20 years' imprisonment for the trafficking of a child. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law did not establish the use of force, fraud, or coercion as an essential element of the crime. Under 376A of the Penal Law 5737-1977, holding a person's passport against their will carried a penalty of three to five years' imprisonment.

In 2019, the police initiated 125 total investigations, including 110 investigations of potential sex trafficking crimes, eight potential forced labor crimes, and seven potential child sex trafficking crimes; this compared with 114 adult sex trafficking, eight forced labor, and 17 child sex trafficking investigations in 2018. In 2019, the government initiated 20 total prosecutions, including 16 for adult sex trafficking, two for forced labor, and two for child sex trafficking; this compared with 13 adult sex trafficking, two forced labor, and seven child sex trafficking prosecutions in 2018. In 2019, the government convicted 17 traffickers, including 13 for adult sex trafficking and four for child sex trafficking, but zero for forced labor; this compared with zero convictions for adult sex trafficking, one for forced labor, and four for child sex trafficking in 2018. Additionally, authorities opened 1,087 criminal investigations and filed 157 indictments against employers of foreign workers for suspected violations of labor laws; courts rendered 123 sentences with sanctions and compensation totaling approximately 6.88 million Israeli shekels (\$1.99 million), as well as administrative fines of approximately 13.1 million Israeli shekels (\$3.79 million). The government continued to report law enforcement efforts to address government officials complicit in trafficking offenses during the reporting period. In 2019, the government initiated one investigation involving a police officer indicted for accepting a bribe from the owner of a brothel, where trafficking allegedly occurred, to allow the facility to continue to operate; the case was ongoing at the end of the reporting period. In the previous reporting period, the government investigated a case of a police officer alleged to have solicited sex from trafficking victims, whom he was assigned to protect in a transition apartment while the victims waited to testify against their traffickers. In June 2019, courts convicted and sentenced the police officer to ten months' imprisonment, with six months' suspended imprisonment under the condition he would not perform a similar offense for three years, and a fine of 2,000 Israeli shekels (\$580). The government did not report updates on an investigation initiated in the previous reporting period of a Ministry of Agricultural and Rural Development official who facilitated the entry of Georgian citizens into Israel through the use of his employee pass in exchange for money from the Georgian nationals or their traffickers.

As in previous years, the government provided extensive anti-trafficking training, awareness-raising workshops, and seminars, which reached more than 1,200 officials. The government continued to enhance training efforts to ensure all judges hearing criminal cases participated in a mandatory training on sex crimes and trafficking in persons. In 2019, the government initiated a police forum for the Israeli and Ukrainian police in which officials exchanged information on trafficking patterns and joint enforcement efforts; the forum resulted in a joint investigation that was ongoing at the end of the reporting period.

PROTECTION

The government identified more victims and maintained overall strong protection efforts. In 2019, the government reported receiving 96 victim referrals from NGOs and government sources, compared with 105 referrals in 2018. Of the 96 referrals, the government granted official trafficking victim status to 73 individuals—including 58 women and 15 men—an increase from the 59 victims identified in 2018. Of the 73 identified victims, 38 were victims of sex trafficking and 34 were victims of forced labor. Unlike in previous years, the vast majority of victims identified experienced trafficking within Israel, while only three victims were exploited in the Sinai prior to arriving in Israel. The government continued to circulate trafficking victim identification guidelines widely to relevant ministries. However, the government reported that the PTC—which consisted of two police officers for the majority of the reporting period—was the only government entity with the authority to grant individuals official trafficking victim status, allowing a victim full access to protection services. Because only two PTC officers were authorized to review victim applications throughout the country, the process significantly delayed victims' access to much-needed protection services. Furthermore, as of January 2020, one of the two officers departed the position, leaving only one officer in the entire country authorized to identify trafficking victims. Furthermore, NGOs reported that the government's strict evidentiary standard for granting official victim status, which required eyewitness accounts, dates, and details from the victims, prevented some victims referred by NGOs from receiving status and, thus, appropriate care in 2019. Some NGOs did not submit cases of trafficking among the Eritrean and Sudanese irregular migrant community due to this high standard and the risk that the application process would re-traumatize victims but not result in recognition. NGOs also reported multiple cases in which the government significantly delayed the identification of Eritrean trafficking victims; for example, the government granted victim status to two Eritrean migrants eight and nine years after the NGO referred them to the PTC. Nevertheless, throughout the reporting period, the National Anti-Trafficking Unit (NATU), in coordination with the Ministry of Justice Legal Aid Administration (LAA) and NGOs, continued to implement a fast-track procedure to more efficiently grant trafficking victim status.

The government continued to provide a wide range of protective services for victims of all forms of trafficking. The government continued to operate a 35-bed shelter for female trafficking victims, a 35-bed shelter for male trafficking victims, and transitional apartments with 18 beds for female victims. The government closed a transitional apartment with six beds for male victims during the reporting period, as it began renovations to turn the space into a family apartment for women with children. Shelter residents could leave freely and, by law, the government provided all victims

residing in the shelters with B1 visas—unrestricted work visas. These shelters offered one year of rehabilitation services, including job training, psycho-social support, medical treatment, language training, and legal assistance. In 2019, the government reported buying new furniture and redesigning shelter spaces to improve living conditions for residents and employing a nutritionist to improve nutritional services across the shelters. The PTC referred 71 identified victims to shelters, while two minor victims received services from the Ministry of Labor, Social Affairs and Social Services (MLSS); some victims declined to enter a shelter and instead utilized rehabilitative services at a government-run day center. In 2019, the women's shelter assisted 59 adult victims and three children of victims; the men's shelter assisted 33 victims, and the transitional apartments assisted 21 men and women, including 18 children. The majority of victims at the men's shelter were Eritrean. The MLSS continued to operate the National Center for Survivors of Slavery and Trafficking in Persons, formerly known as the “day center,” in Tel Aviv for male and female trafficking victims who were waiting for a space at a shelter, chose not to reside at a shelter, or had completed one year at a shelter. The center provided psycho-social services and food aid, with social workers trained to identify individuals at risk of re-trafficking. In 2019, the center provided services to 230 male and female victims, as well as 125 children of victims, all of whom were irregular African migrants primarily from Eritrea. Additionally, for identified trafficking victims who opted not to stay in shelters, the government continued to provide an official letter that protected them from potential arrest for immigration violations and emergency contact numbers for shelters and relevant ministries. The government continued to provide free medical treatment for one year at various government-funded health facilities for identified trafficking victims living outside of shelters.

The government continued to encourage victims to assist in the investigation and prosecution of their traffickers, but did not require their participation in court cases as a condition for receiving visas and protective assistance; victims could opt to leave the country pending trial proceedings. The government allowed trafficking victims to work during the investigation and prosecution of their traffickers. The LAA continued to provide free legal aid to trafficking victims, and staff regularly visited shelters and detention facilities to provide consultations. In 2019, the branch received 86 legal aid requests to assist potential trafficking victims, including 16 irregular migrants who may have been subjected to trafficking in the Sinai. In 2019, the government issued 32 initial B1 visas and 96 visa extensions to sex and labor trafficking victims. It also issued 34 visas to trafficking victims to return to Israel after leaving the country in 2019, a significant increase compared with five visas of this kind issued in 2018. The government forfeiture fund, which used property and money confiscated from traffickers to assist victims, received 56 applications requesting compensation in 2019; this was a significant increase compared with zero application requests in 2018. The fund allocated 420,510 Israeli shekels (\$121,750) to 44 applicants for the provision of various protection services, including housing, counseling, and vocational training for victims, monetary compensation ordered by courts, and funding for NGOs.

The government maintained guidelines discouraging the prosecution of trafficking victims for unlawful acts traffickers compelled them to commit during their exploitation. However, the government did not systematically screen for trafficking among the irregular African migrant population and, as a result, authorities may have penalized unidentified and some identified victims for immigration violations. During the reporting period, the government continued to implement the “Deposit Law” (article 4 of the Prevention of Infiltration Law), which required employers to deposit a certain percentage of irregular migrants’ wages—including those of identified trafficking victims—into a fund that migrants could not access until they departed the country; the government could also add penalties to the fund for each day a migrant remained in the country without a visa. NGOs continued to report that some employers withheld but never deposited wages into the fund. In December 2019, the Population, Immigration, and Border Authority (PIBA) announced that all trafficking victims would receive reimbursements for payments that exceeded the deposit rate, retroactive to the time they entered the country. PIBA reportedly also agreed to provide an official letter to victims confirming their eligibility to avoid requiring victims to disclose their status as trafficking victims; however, the government did not report implementing these procedures during the reporting period. NGOs continued to report that the Deposit Law pushed migrants—particularly Eritrean women—into the black market, including commercial sex, which exacerbated their vulnerability to trafficking. The government continued to incentivize irregular African migrants to “voluntarily” depart Israel to third countries in Africa, which included a paid plane ticket in most cases and a \$3,500 stipend in some cases; however, NGOs and an international organization confirmed that migrants who arrived in a third country in Africa did not receive residency or employment rights upon arrival.

PREVENTION

The government increased efforts to prevent human trafficking. NATU continued to coordinate anti-trafficking efforts effectively among relevant ministries and NGOs during the reporting period, and NATU officials continued to appear regularly in the media to raise awareness of trafficking. The government maintained its 2019-2024 national action plan (NAP) to combat human trafficking. In 2019, the government established five interministerial teams and two subcommittees composed of government and NGO representatives, each focusing on key objectives outlined in the NAP.

However, the government did not allocate additional funds for full implementation of the plan for the second consecutive year. Unlike previous years, the Knesset Subcommittee on Trafficking in Women and Prostitution was not active due to lack of government formation during the reporting period. The government conducted various national awareness-raising campaigns during the reporting period, including education programs for students, national television commercials, radio broadcasts, and lectures for government officials, shelter staff, and academics.

In the first nine months of 2019, the MLSS, which employed 261 labor inspectors and translators during routine inspections, issued 415 administrative warnings, imposed 53 fines worth 9.6 million Israeli shekels (\$2.78 million), and processed four criminal complaints that resulted in five indictments for labor violations. NGOs continued to report there were not enough labor inspectors, especially in the construction and agricultural sectors, to sufficiently monitor and enforce labor laws. Additionally, NGOs reported the government did not effectively regulate work force companies nor combat criminal networks that recruited foreigners for the construction and caregiving fields and for commercial sex. In 2019, the government ratified two bilateral work agreements (BWA) with the Philippines to allow for employment of Filipino workers in the caregiving sector and in hotels. The government maintained BWAs with six other countries for agricultural and construction work; in 2019, 8,755 of the 23,138 foreign migrant workers who arrived in Israel did so through these agreements. During the reporting period, the government also began negotiating BWAs for the caregiving sector with Sri Lanka and Moldova. NGOs reported that the government's agreements with private Chinese employer associations required workers in the construction industry to pay licensed employment recruiters up to \$30,000 in recruitment fees and costs, which could increase their debt and vulnerability to forced labor. PIBA procedures for recruitment agencies in the caregiving sector 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. While the government contended that workers' visas were not tied to a specific employer, NGOs reported that nearly 120,000 foreign workers were employed under arrangements that did not allow them to change employers within the caregiving sector or dramatically limited their ability to do so.

The government, in collaboration with an NGO, continued to operate a 24-hour hotline to assist foreign workers who were in Israel under bilateral agreements. The hotline employed 13 interpreters in nine languages: Chinese, Thai, Bulgarian, Russian, Nepalese, Sinhalese, Romanian, Ukrainian, and Turkish. In 2019, the hotline received 3,467 calls; similar to last year, the majority of calls were from Chinese construction workers and Thai agricultural workers. There was no comparable hotline for the approximately 74,000 documented migrant workers who worked in Israel through private recruitment, nor for the approximately 131,000 Palestinian workers in Israel and Israeli settlements in the West Bank. The Child Protection Bureau Hotline, which handled online offenses against children, reported addressing 7,665 cases in 2019; however, the hotline did not report identifying any suspected cases of trafficking. As in previous years, the government did not maintain a separate hotline for potential child victims of all forms of trafficking. The government also maintained an emergency hotline for women and girls in commercial sex, which provided referrals to emergency and psychological assistance; the hotline received 280 calls in 2019. The government provided anti-trafficking training to its diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts, including sex tourism.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Israel. Foreign workers, primarily from South and Southeast Asia, Eastern Europe and the former Soviet Union, and the West Bank and Gaza migrate to Israel for temporary work in construction, agriculture, and caregiving; traffickers exploit some of these workers in forced labor. As of September 2019, data from the Israeli government, Palestinian Authority, UN, NGOs, and media indicated there were 215,000 legal foreign workers and 135,000 illegal foreign workers, including Palestinian workers, in Israel and Israeli settlements in the West Bank. Israeli and foreign employers exploit foreign workers, particularly Turkish, Chinese, Palestinian, Russian, Ukrainian, and Serbian men, in the construction sector where they suffer from labor rights abuses and violations and labor trafficking. Some employers in the construction sector illegally charge Palestinian workers monthly commissions and fees, and in many cases employers illegally hire out Palestinian workers to other workplaces; these workers are vulnerable to forced labor. Furthermore, as a condition of their overnight permits, employers retained identity documents of some of the 19,000 Palestinian workers, effectively restricting their movement in Israel. Traffickers subject some Thai men and women to forced labor in Israel's agricultural sector imposing conditions of long working hours, no breaks or rest days, withheld passports, and difficulty changing employers due to limitations on work permits. Some traffickers in the agricultural sector recruit students from developing countries to take part in an agricultural study program on student visas and force them to work in the industry upon arrival, effectively circumventing the BWA process. Caregivers are highly vulnerable to forced labor due to their isolation inside private residences and their lack of protection under the labor law; local NGOs report that traffickers subject caregivers to excessive recruitment fees, fraudulent work contracts, long work hours, confiscation of passports, underpayment of wages, physical violence,

sexual harassment and abuse, denial of severance pay, and poor housing including—in some cases—living in the same room as their employer. Foreign caregivers constitute the largest share of all legal foreign workers in the country; the vast majority of these workers are women. The government’s policy of refusing fast-track asylum claims has resulted in fewer claims from Ukrainian and Georgian applications; however, they were replaced by increased numbers of Russian and Moldovan workers following the same pattern. Networks of workforce agencies recruit workers to Israel through a fraudulent asylum-claim process, charge workers high mediation fees, and sell them fake documents; these workers are vulnerable to exploitation. Some Bedouin Israeli children are reportedly vulnerable to forced labor, experiencing long working hours and physical violence.

Eritrean and Sudanese male and female migrants and asylum-seekers are highly vulnerable to sex and labor trafficking in Israel. As of March 31, 2020, there were 31,122 African migrants and asylum-seekers in Israel, 28,213 of whom were from Eritrea or Sudan. According to NGOs, these migrants and asylum-seekers are increasingly vulnerable to trafficking due to the government’s implementation of the Deposit Law that reduced net wages for this population. NGOs reported due to COVID-19, nearly 90 percent of this population experienced some type of unemployment, further increasing their risk to exploitation. Economic distress among women in this population, especially Eritrean women, greatly increases their vulnerability to sex trafficking. Since 2007, thousands of African migrants entered Israel via the Sinai Peninsula. The flow of these migrants arriving in Israel, peaking at more than 17,000 in 2011, dramatically decreased to zero in 2017. Many of these migrants were kidnapped in the Sinai and subjected to severe abuse, including forced labor and sex trafficking, at the hands of criminal groups in the Sinai before reaching Israel.

Israeli children, Israeli Bedouin and Palestinian women and girls, and foreign women are vulnerable to sex trafficking in Israel. Traffickers use social media websites, including dating apps, online forums and chat rooms, and Facebook groups, to exploit girls in sex trafficking. In 2018, an NGO reported there were approximately 3,000 Israeli child sex trafficking victims in Israel. Israeli Bedouin and West Bank Palestinian women and girls are vulnerable to sex and labor trafficking after family members force them into marriages with older men; these women and girls experience physical and sexual abuse, threats of violence, and restricted movement. Russian, Ukrainian, and Ethiopian women are also vulnerable to sex and labor trafficking through online-facilitated forced marriages. NGOs report some Palestinian LGBTI men and boys in Israel are vulnerable to abuse and sexual exploitation, due to their lack of legal status and restrictions on work eligibility for Palestinian nationals in Israel. Some Israeli transgender women and girls are sexually exploited in commercial sex in order to be able to afford gender-affirming care. Transgender women in commercial sex sexually exploit some transgender children as young as 13 years old, some of whom ran away from home. Traffickers subject women from Eastern Europe and the former Soviet Union, China, and Ghana, as well as Eritrean women, to sex trafficking in Israel; some women arrive on tourist visas to work willingly in commercial sex—particularly in the southern coastal resort city of Eilat—but sex traffickers subsequently exploit them. Some traffickers reportedly recruit sex trafficking victims with false, fraudulent, or misleading job offers on the internet, sometimes through legitimate employment websites.

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