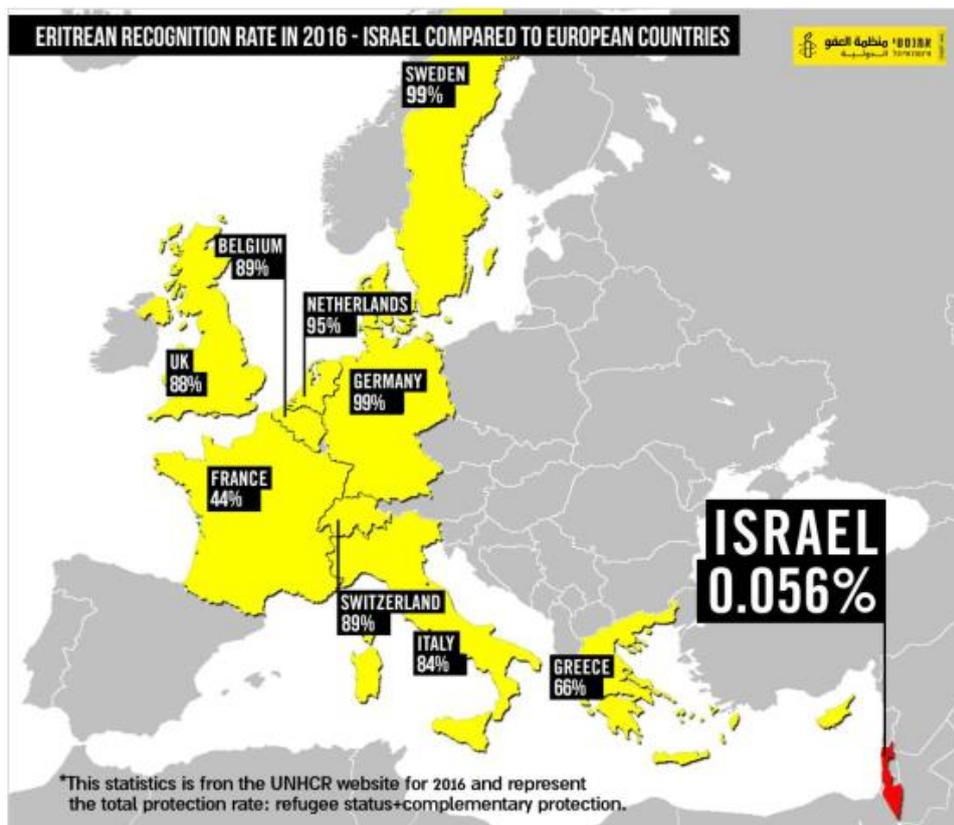


Human rights violations in the refugee and asylum seeker crisis in Israel

by Noam Cohen

The arrival of asylum seekers in Israel began in the mid-1990s and expanded drastically from 2007 until the completion of the fence at the Egypt-Israel border in 2012. An absolute majority of asylum seekers that arrived in Israel did this in order to find a shelter and to save their lives. Today, in Israel there are 36,630 asylum seekers under the threat of forced deportation, 72% are from Eritrea, 20% are from Sudan, the rest are mostly from other African countries.¹



In 2017, Germany gave protection to 95.3% of the Eritrean asylum seekers that apply for shelter (in 2016 the rate was 99%). In comparison, the Israeli recognition rate was only 0.056% in 2016. This percentage put Israel in one of the last places of the Western

¹ PDF of the last report by the Israeli Population and Immigration Authority "[Data on foreigners in Israel first quarter of 2018](https://www.gov.il/BlobFolder/generalpage/foreign_workers_stats/he/%D7%A8%D7%91%D7%A2%D7%95%D7%9F%201.pdf)"
https://www.gov.il/BlobFolder/generalpage/foreign_workers_stats/he/%D7%A8%D7%91%D7%A2%D7%95%D7%9F%201.pdf

countries in recognizing asylum seekers from Eritrea as refugees.² However, perhaps the most alarming fact is that the Israeli authorities do not even check most of the applications for refugee status.³ According to the Israeli Population and Immigration Authority, approximately 2,500 Darfuris applied for asylum, of those five requests were rejected and one approved. The remaining requests have yet to be answered. Only ten Eritreans and one Sudanese have been granted refugee status so far. 8,588 asylum applications are still open.

The average waiting time is 8.5 months for an answer to the application, but there are many applications that were submitted over eight years ago and are still waiting for a decision. 6,514 asylum applications were closed or rejected. In total, 15,113 asylum applications were submitted - only eleven received refugee status - 0.072%

On the 8 May 2018, the State Comptroller of Israel published a report, which dealt amongst other issues with the refugee application system and their harsh life in Israel.⁴ According to the report, the Population and Immigration Authority did not check any refugee status determination application (RSD) until 2013.

In 2015, the Immigration Authority rejected 1,620 RSD applications on the ground that they were not submitted during the first year of the asylum seekers' stay in Israel. Following an appeal on this matter made by the NGO Hebrew Immigrants Aid Society (HIAS), the Court ruled that the Immigration Authority's conduct did not meet the test of reasonableness and proportionality and told them to re-check the applications. Today only 3% (47) of the requests have been checked again.

Between 2006 and 2011, Israel's Defense Forces (IDF) violated Article 33 of the UN Refugees Convention, the principle of non-refoulement. During this period, Israel sent hundreds of asylum seekers back to Egypt without any verification of their refugee status. In Egypt, they were imprisoned for many months and later sent to their origin countries where many of them were facing torture and death.

From the first years that asylum seekers came to Israel, the forced deportation to a third country in Africa (not to their country of origin) was the solution that right-wing politics tried to promote. The Israeli government also tried to convince refugees to leave Israel voluntarily and offer them a grant of 3500\$ for leaving the country and 5000\$ to receiving country (mostly Rwanda or Uganda). From the beginning of 2014, there were "voluntarily deported" 17,084 asylum seekers under massive pressure by the Israeli authorities and under the pretense of this action being voluntarily accepted by the refugees. Despite the state's commitment to the High Court of Justice to establish monitoring and control mechanisms in order to ensure the safety of asylum seekers who were deported to Africa, Knesset member and Deputy Minister of Foreign Affairs, Tzipi Hotovely, said: "We have no way of checking and monitoring the people who were deported to Rwanda or Uganda, the Foreign Ministry office does not have enough manpower to do that and we do not even have an ambassador in these countries".⁵

² Comparison map between Israel and other countries in the rate of recognition Eritrean as refugees. (Amnesty International Israel, statistics from UNHCR website)

³ PDF from the annual report by the Israeli State Comptroller, "foreigners in Israel 2018": http://www.mevaker.gov.il/he/Reports/Report_627/8eaa80a0-a426-4424-aefa-8fdc4e8b176a/221-zarim-2.pdf

⁴ The critic of the State is in charge on supervise and reviews the policies and operations of the Israeli government, Wikipedia explanation about the Israeli state comptroller role job:

https://en.wikipedia.org/wiki/State_Comptroller_of_Israel

⁵ Article with the quote of Tzipi Hotovely: <http://www.maariv.co.il/news/politics/Article-621035>

From January 2017 onward, all asylum seekers who had a job were required to pay an additional tax of 20% from their salaries. This law, called Deposit Law, was made solely for asylum seekers and the only way that they can get the money back is by leaving Israel. Another way the Israeli government ensured that asylum seekers voluntarily left Israel was to issue restraining orders from seven central cities like Tel Aviv, Eilat, Petah Tikva etc. The reason for the restraining orders is to prevent asylum seekers from working in cities with a high demand for workers.

In a press conference on 2 April 2018 Israeli Prime Minister Benjamin Netanyahu and the Interior Minister Aryeh Deri announced an agreement with the United Nations that canceled the forced deportation to Africa and shutting down of Holot Detention Facility. Netanyahu said that the UN agreement was supposed to be that Canada, Germany and Italy would take in 16,250 asylum seekers which Israel would have deported otherwise to Africa, and that the Israeli government would grant another 16,250 asylum seekers temporary residency statuses thus remaining in Israel.⁶ The UN, and not Israel – was supposed to conduct negotiations with the Western countries involved in the deal. Later it became known that the countries mentioned by Netanyahu were just as examples. The original agreement also included the relocation of asylum seekers all over Israel and not only in the poor neighborhoods of Tel Aviv. In addition to the agreement, a rehabilitation plan was made, and a large sum investment was supposed to be made in the neighborhoods of South Tel Aviv that were affected the most from the refugee crisis.

On the same day, the agreement with the UN was canceled by Benjamin Netanyahu only eight hours after the announcement at the press conference - leaving asylum seekers and human rights activists in shock.⁷

Detention Center "Holot"

Holot Open Detention Facility is a prison for supposedly illegal immigrants, who are detained there for up to one year without a prior trial.⁸ Holot opened in 2013 and the capacity is for 3,360 asylum seekers. The facility is located in southern Israel on the border to Egypt. Because of its isolated location there is almost no possibility of leaving the allegedly open detention center. There are many testimonies of human rights violations in Holot. The detention center is situated in the Negev Desert thus the summer temperatures can easily pass 40°C and in winter as well as at night the temperatures drop to around zero degrees making living there unbearable.

When I visited the detainees in the facility back in 2016, one of the gravest concerns was the lack of proper nutritional meals. Detainees told me about the unbalanced food: only rice was served for breakfast, lunch and dinner (sometimes even uncooked, rotten vegetables, uncooked eggs etc.). Many testimonies were collected by NGOs about the difficult and traumatic experiences in Holot. Another example of the detainees' poor living conditions is their economic situation. Since they are not allowed to work, they receive a monthly pocket money of 16 NIS per day (less than 4€), while the minimum wage per hour in Israel is almost double. Though, the bus ticket to the closest city to the facility costs 19 NIS, the

⁶ UNHCR article about the agreement with Israel: <http://www.unhcr.org/news/press/2018/4/5ac261bd4/unhcr-israel-sign-agreement-find-solutions-eritreans-sudanese.html>

⁷ Article by the independent about the cancellation of the Israeli-UN agreement: <https://www.independent.co.uk/news/world/middle-east/israel-un-deal-african-migrants-resettlement-jerusalem-palestine-netanyahu-a8286076.html>

⁸ Picture of detainees from "Holot" detention center (Activestills.org)

asylum seekers also had to buy basic things such as hygiene products, clothing etc. There are testimonies about unjustified fines. According to a report by the NGO the Hotline for Refugees and Migrants only half of the detainees received the full amount of the pocket money - the rest received lower amounts and some of them did not get any money at all.⁹



The people from the immigration office always tell us, "What will you do all your life here in the desert? Sign the form and go back to your country." All the time they tell us, 'Sign, sign.' but I cannot go back to Sudan. I'm scared for my family. I'll stay in prison as long as necessary. Even now people are being killed in Darfur. One minute there, and they'll kill me, too"

(Anwar, asylum seeker from Sudan)¹⁰

On 27 June 2014, 1,000 asylum seekers left Holot without permission to protest against the human rights violations in the facility. In a statement issued by the asylum seekers, they demanded appropriate medical care to the detainees, the release of asylum seekers that have been imprisoned for two years or more and allowing the UN to be more involved in their situation amongst other demands. The protestors arrived at the Israeli-Egyptian border when they were stopped by the Israeli Defense Forces (IDF) and went back to Nitzana Forest, located about 5km from Holot, there they stayed for two days. On 29 June 2014, the Immigration authority, the police, and the IDF attacked the asylum seekers using extreme violence and forced them to go by buses back to the detention center.¹¹

⁹ Report by The NGO Hotline for Refugees and Migrants, "Rwanda or Saharonim": <https://hotline.org.il/wp-content/uploads/2015/07/Rwanda-or-Saharonim-HEB-web.pdf>

¹⁰ Credit to The Hotline for Refugees and Migrants for the quote from Anwar interview

¹¹ Picture taken in the demo in Nitzana Forest, p.5 (Activestills.org)



In April 2018, the Interior Minister Aryeh Deri said; "Holot detention center costs Israel more than 250 million shekels and has produced no profit or benefit to the fight against immigration".¹² Three weeks later, Netanyahu said that Holot should be reopened at full capacity. But since the Israeli government did not present the High Court any alternative solution, the court ordered to release all the detainees from the facility.

Stories from refugees

In June 2018, I did an [interview with Haili](#)¹³, an Eritrean asylum seeker, that had lived in Israel in for the past six years. Haili spoke about his life in Eritrea, his way to Israel and the comparison between the idea he had about Israel before he arrived and the reality of life in Israel after six years. The interview with Haili is a small insight into the lives of tens of thousands of asylum seekers who are not recognized as refugees in Israel. The first time I filled an RSD form (Refugee Status Determination) with a refugee he was 50 years old, the story about why and how he got to Israel sounded similar to other refugee stories. During the interview he showed me his hand and explained me that the Bedouins in Sinai Torture camps cut off three of his fingers and large part of his hand for a ransom. He was a soldier in the Eritrean Army for more than twenty years but he still has to fight for his right to live.

¹² Article with the quote of Aryeh Deri about Holot: <https://news.walla.co.il/item/3147351>

¹³ Click to read the [interview](#) with Haili

"Israel is the only democracy that we can walk to" - this sentence is what most asylum seekers said when they were asked for the reason why they came to Israel. The refugees that came to Israel truly believed that they would receive protection because of the terrible situation in their countries.

According to testimonies collected by the Israeli NGO Physicians for Human Rights Israel, almost all the asylum seekers that have been deported from Israel to Rwanda suffered major difficulties by the Rwandese government. The asylum seekers did not get visas or refugee statuses as promised. The testimonies provided by the NGO say that the asylum seekers have been robbed and endured extreme violence. The lack of official status determination made them flee Rwanda to North Africa towards Europe through the Mediterranean Sea where they could be kidnapped by human traffickers or taken to torture camps. Israel knows that Eritrea and Sudan are too dangerous for the refugees, therefore, currently Israel does not send them back to their home country and tries to deport them to a third country.

Xenophobia in Israel



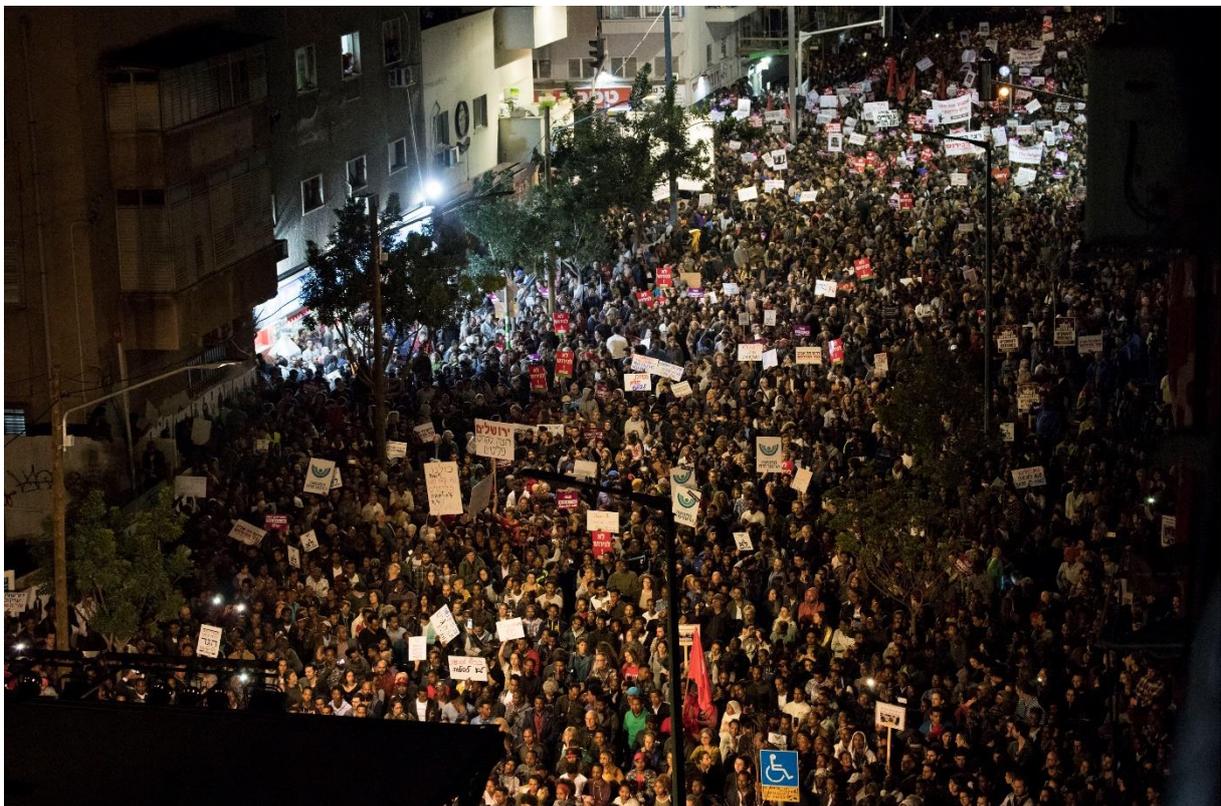
The hatred and discrimination towards minorities in Israel is based on hate speeches by extreme right-wing politicians and organizations, and it's not directed only to asylum seekers, but also to Arabs, LGBT, women, Ethiopian Jews and other discriminated groups.

On 23 May 2012, a violent demonstration against asylum seekers was organized by four members of the Knesset in South Tel Aviv. One of the Knesset members who delivered a speech at the rally was Miri Regev from the right-wing government party- Likud, she said: "The Sudanese are cancer in our bodies... We will not allow people to come looking for jobs in Israel..." Regev went on and said the following about human rights organizations: "These leftists submit an appeal to the High Court of Justice and try to stop the deportation, they

need to be ashamed of themselves".¹⁴ It is not surprise that this evening ended with big riots, attacks against asylum seekers and the police. Today, Miri Regev is the Minister of Culture and Sport in Israel.

In April 2012, an Israeli citizen threw seven Molotov cocktails on random asylum seekers homes as an act of "revenge". One of the Molotov cocktails hit a refugee kindergarten, which hosted at that time 21 refugee children, luckily without casualties.¹⁵ Although this was an extreme act since the arrival of the first asylum seekers to Israel, there were harassments against them from civil organizations, but also from government-sponsored organizations.

I would like to mention a few Israeli NGOs that fight for human rights and against the deportation such as *Elifelet*, an NGO that was founded in order to help children of refugees¹⁶; *Amnesty International Israel* for which I have worked in the past two years; *Orthodox Jews Against Deportation*¹⁷; Aid Organization for Refugees and Asylum Seekers in Israel (ASSAF), Hotline for Refugees and Migrants and many more. In March 2018, a demonstration was held in Tel Aviv against the deportation of asylum seekers. About 30,000 demonstrators came in order to protest against Israel's treatment of refugees¹⁸.



¹⁴ Two links from the demonstration, the first to a short video with English subtitles 23/5/2012:

<https://www.youtube.com/watch?v=ZQ77Dkdbl5Q>

link to a longer video from the demo without subtitles: <https://www.youtube.com/watch?v=PRIL10ErBV0>

¹⁵ Picture taken day after the Molotov Cockatiel was thrown to the refuge Kindergarten (Activestills.org)

¹⁶ "Elifelet" website: <https://www.elifelet.org/en>

¹⁷ "Orthodox Jews against deportation" one of many NGO's that fight against the deportation. Link to an article about the NGO: <https://www.youtube.com/watch?v=6BFoiTU1sLE>

¹⁸ "Orthodox Jews against deportation" one of many NGO's that fight against the deportation. Link to an article about the NGO: <https://www.youtube.com/watch?v=6BFoiTU1sLE>

A quote from State Comptroller's report published in May 2018 sums up the current situation: "The young State of Israel was between the states that initiated the formulation of the Refugee Convention. The State of Israel should take the Convention as a basis and compass in all matters relating to those who wish to be examined as refugees, because of the historical events in which it was signed and as Israel is a Jewish and democratic state".¹⁹

As the Jewish people suffered throughout history from xenophobia and antisemitism, we should never accept any kind of racial prejudice and hate towards minorities.

¹⁹ Link to the State Comptroller report on asylum seekers and immigrants:
http://www.mevaker.gov.il/he/Reports/Report_627/8eaa80a0-a426-4424-aefa-8fdc4e8b176a/221-zarim-2.pdf