

## **Israel: The Trafficking Situation Overview**

Israel shares borders with Jordan, Egypt, the Lebanon and Syria. It is involved in ongoing internal conflict. Israel is economically developed and can therefore attract a migrant workforce. It is within this context of migration that trafficking can then occur. Most trafficked persons consented to migrate to Israel for employment but were deceived as to the nature or the conditions of the work involved.

Israel is a destination country for women trafficked for commercial sex work and men and women trafficked for labour exploitation. Most trafficking victims for sexual exploitation originate from Moldova, Russia, Uzbekistan, Kazakhstan, and Ukraine. There were some reports of minors being trafficked for commercial sex work but they also indicated that trafficking in minors is limited as it carries greater risks for the traffickers. Men and women trafficked into Israel for forced labour come from Turkey and other countries in South East Asia, East Asia, Africa, South and Central America, the Former Soviet Union, and Eastern Europe. Following the adoption of stricter immigration control measures at Ben Gurion Airport, traffickers have begun using Egypt as a transit route, relying on Bedouin smugglers to transport victims across the border between Egypt and Israel.

Israel views the issue of trafficking in persons largely in the context of illegal immigration. It is concerned with how it affects national security and public health. However, following its Tier 3 status in the 2001 US Trafficking in persons and a highly critical Amnesty International report in 2000 Israel was forced into taking greater action to combat trafficking in persons.<sup>1</sup>

### **National Responses:**

#### **Legal Initiatives**

- Signatory to, but not yet ratified, the UN Convention and Protocol 2000.
- Specific anti-trafficking legislation pertaining only to trafficking for commercial sex work was passed in 2000.<sup>2</sup>
- Provisions in the Penal Code allow for traffickers to be prosecuted for offences committed that are connected to the trafficking.
- In 2003 the Justice Ministry conducted training of law enforcement officials on the issue of trafficking in women.<sup>3</sup>
- In 2003, the government established the Border Police Rimon Unit, in part to limit trafficking across Israel's southern border with Egypt.<sup>4</sup>

#### **Gaps and Recommendations**

- Ratify the UN Convention and Protocol.

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<sup>1</sup> Human Rights Abuses Affecting Trafficked Women in Israel's Sex Industry <http://web.amnesty.org/library/Index/engMDE150172000?OpenDocument&of=COUNTRIES\ISRAEL%2FOCCUPIED+TERRITORIES>

<sup>2</sup> Women as Commodities: Trafficking in Women in Israel p5

<sup>3</sup> *Ibid* p41

<sup>4</sup> <http://www.state.gov/g/tip/rls/tiprpt/2004/33195.htm#israel>

- Develop the national legislation in line with the Protocol definition to expand the scope to cover all forms of trafficking. The legislation should also have explanatory notes to assist the judiciary and lawyers in interpreting it correctly.
- Minimum use must be made of plea bargains.
- Traffickers must also be tried for offences that accompany trafficking. This would ensure lengthy sentences and also highlight the numerous offences committed during trafficking. There was concern that other offences committed against a trafficked person were viewed as less serious than when they happened to non-trafficked persons.
- The sentences must not be lenient in order to act as a deterrent to the traffickers.
- The property of traffickers in women must be confiscated and the money must be transferred to a special authority that provides treatment for victims of trafficking.
- Victims of trafficking should be assisted in obtaining compensation.
- Trafficked persons who are willing to testify must be fully informed of the situation and should have access to legal assistance.
- Translators are required to help communication between trafficked persons and law enforcement officials who may not have a shared language.
- Effective enforcement of available legislation is required.
- Anti-corruption measures must be taken and investigations launched into claims of police complicity in trafficking.

### **Prevention**

- Israel views trafficking largely in the context of illegal immigration its preventative measures have involved tightening border controls.
- In 2003, the government established the Border Police Rimon Unit, in part to limit trafficking across Israel's southern border with Egypt.<sup>5</sup>
- Immigration controls at the airports and seaports have been tightened making these route into Israel less accessible.
- Following the 2001 US report there was an increase of information on trafficking in persons in the mass media.<sup>6</sup>
- Training of law enforcement officials has increased their awareness of trafficking in persons.
- 2002 Telephone help line for trafficked persons was established with Russian speaking operators.
- National NGOs campaign for migrant's rights and work on the trafficking in persons issue also.<sup>7</sup>
- Cooperation with IOM 2002
- Cooperation between National NGOs in Israel and NGOs in source countries has been established.

### **Gaps and Recommendations**

- Ensure immigration controls don't adversely affect people's freedom of movement.<sup>8</sup>
- Close cooperation must be established between the countries of origin, the countries of transit, and Israel as the destination country.

<sup>5</sup> <http://www.state.gov/g/tip/rls/tiprpt/2004/33195.htm#israel>

<sup>6</sup> Women as Commodities: Trafficking in Women in Israel p40

<sup>7</sup> Hotline for Migrant workers and [http://www.kavlaoved.org.il/katava\\_main.asp?news\\_id=976&sivug\\_id=21](http://www.kavlaoved.org.il/katava_main.asp?news_id=976&sivug_id=21)

<sup>8</sup> Women as Commodities: Trafficking in Women in Israel p22

- Cooperation between NGOs and the government is required. The government acted with hostility to NGOs who provided information for the US Trafficking in Persons Reports.<sup>9</sup>
- More public awareness campaigns should be enacted. The hotline should be publicised more effectively and punishments handed out to anyone who tries to prevent effective advertisement of its services.
- Migrant workers should have more rights and should not be bonded to their employer as this leaves them vulnerable to abuses.<sup>10</sup>
- The Israeli government has claimed that the demand for sex workers is generated solely by the migrant worker population. However the reports suggested the widespread use of sex workers amongst Israeli citizens. The government should therefore try to address the demand side. This could be done by punishing clients and through human rights training and mass media awareness about trafficking in persons.
- Regulate employment agencies.
- Punish employers who are found to place migrant workers under exploitative conditions.
- MOUs should be established with source countries to protect migrant workers.

### **Process of Recovery**

- In 2003 law enforcement training was conducted.
- A hostel was established to hold trafficked persons who were acting as prosecution witnesses.<sup>11</sup>
- In early 2004, Israel opened part of a new shelter and admitted 17 victims; gave temporary visas to seven victims; and allowed 2,336 foreign laborers to change employers.<sup>12</sup>
- In 2002 an emergency hotline for trafficked persons was made available with Russian speaking operators.
- Cooperation between National NGOs in Israel and NGOs in source countries has been established
- National NGOs provide services to trafficked persons and exploited migrants.

### **Gaps and Recommendations**

- Trafficked persons are often treated as illegal immigrants and detained and deported. The women were detained for months sometimes whilst waiting to testify. They are deported without concern for their safety in their home country.
- There is a lack of Russian- speaking law enforcement agents. Translators must be provided.
- Trafficked women are not made aware of their rights and therefore are deprived of legal representation. Without representation they cannot appeal detention orders.<sup>13</sup>
- The conditions in the detention centers are reportedly very poor.
- Trafficked persons have been held with criminal detainees, this is in breach of their human rights.
- Trafficked persons that are prosecution witnesses are not allowed any legal assistance to help them understand the process. Women must be offered legal representation and

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<sup>9</sup> Women as Commodities: Trafficking in Women in Israel p40

<sup>10</sup> [http://www.kavlaoved.org.il/katava\\_main.asp?news\\_id=976&sivug\\_id=21](http://www.kavlaoved.org.il/katava_main.asp?news_id=976&sivug_id=21)

<sup>11</sup> Women as Commodities: Trafficking in Women in Israel p62

<sup>12</sup> <http://www.state.gov/g/tip/rls/tiprpt/2004/33195.htm#israel>

<sup>13</sup> Women as Commodities: Trafficking in Women in Israel p55

interpretation services in all the legal proceedings in which they are involved, including the prosecution of traffickers.

- The hostels provided have no security putting the trafficked persons at risk.
- The trafficker is rarely required to pay compensation to the victim.<sup>14</sup> They must be assisted in obtaining compensation and the need for it must be highlighted.
- The telephone hotline should be publicised more effectively and punishments handed out to anyone who tries to prevent effective advertisement of its services.
- Little assistance is given to trafficked persons once they have testified in a prosecution case. They must be given a temporary residence visa and they should not face deportation if doing so would place them in grave danger.
- Trafficked persons do not receive adequate medical assistance and counselling.
- Embassies and consulates of the source country of the trafficked persons have also been reluctant to assist the victims. They must provide quick assistance to their citizens and not in any way further discriminate against the trafficked persons.<sup>15</sup>
- Close cooperation must be established between the countries of origin, the countries of transit, and Israel as the destination country.
- Cooperation between NGOs and the government is required to provide the necessary services to trafficked persons.
- Shelters must be made available to all trafficked persons and exploited migrant workers. These shelters must provide counselling, medical and legal assistance.
- Trafficking victims who are willing to assist law enforcement in prosecuting traffickers are not prosecuted or fined for illegal entry or the possession of forged identifications or travel documents. Trafficked persons should not be victimised for any offences committed during the trafficking process regardless of their decision to testify.

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<sup>14</sup> *Ibid.* p67

<sup>15</sup> Women as Commodities: Trafficking in Women in Israel p77

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