

Refugees/Asylum Seekers in Israel

Particularly from Africa, refers to the act of African nationals entering Israel in violation of Israeli law. This phenomenon began in the second half of the 2000s, when a large number of immigrants from Africa entered Israel, mainly through the fenced border between Israel and Egypt. According to the data of the Israeli Interior Ministry, the number of these illegal immigrants amounted to 26,635 people to July 2010, and over 55,000 in January 2012. African asylum seekers comprise 0.5% of Israel's population. Most African migrants are generally regarded to be legitimate asylum seekers by various human rights organizations.

Many of the migrants seek an asylum status under the Convention relating to the Status of Refugees of the United Nations. However, many of them, mostly citizens of Eritrea and Sudan, cannot be forcibly deported from Israel. The Eritrea citizens (who, since 2009, form the majority of the undocumented workers in Israel) cannot be deported due to the opinion of the United Nations High Commissioner for Refugees that Eritrea has a difficult internal situation and a forced recruitment and therefore the Eritrean immigrants are defined as a "temporary humanitarian protection group". Despite the fact that a similar opinion does not exist in relation to citizens of Sudan, Israel does not deport them back to Egypt due to a real fear for their fate. Although the immigrants entered Israel from Egypt, Israel cannot deport them back to Egypt because the Egyptians refuse to give an undertaking not to deport the immigrants to their countries of origin. Accordingly, the Israeli authorities grant a temporary residence permit to the undocumented workers, which need to be renewed every three months. Various authorities in Israel estimate that 80–90 percent of the undocumented workers live primarily in two centers: Tel Aviv (more than 60 percent) and Eilat (more than 20 percent), with a few in Ashdod, Jerusalem and Arad.

Background

The UNHCR has declared Eritrea as a country in humanitarian crisis. In the Darfur region in western Sudan, a genocide has been taking place since 2003. As a result, many of its residents became refugees and fled to Egypt. Added to those were refugees from southern Sudan, where civil war took place between the predominantly Arab Muslim inhabitants of the north and the non-Arab, Christians and animists inhabitants of the south.

In 2009, in reports to United Nations High Commissioner for Refugees, Israel stated that 90% of the illegal immigrants from Sudan and Eritrea are refugees.

Status of the migrants

According to the government, the majority of the migrants are seeking economic opportunity. This is not the case among Israel's allies such as the United States, where the vast majority of Eritrean and Sudanese applicants are accepted as refugees. Once in Israel, African migrants have sought refugee status for fleeing forced, open-ended conscription in Eritrea or ethnic cleansing in the Darfur region of Sudan, but the government of Israel maintains that these areas merely have a poor human rights record, which does not automatically entitle one to asylum. To qualify, applicants must establish

that they face the risk of personal harm or persecution if they return to their country. The Interior Ministry has failed to review the vast majority of asylum requests.

Most migrants request refugee status after arriving in Israel, in accordance with the United Nations's Convention Relating to the Status of Refugees. Israel does not review the status of the individual immigrants originating from Eritrea or Sudan, who constitute about 83% of the total people coming to Israel through the Egyptian border, and instead automatically grants them a "temporary protection group" status. This status allows these migrants to gain a temporary residence permit within Israel, which they must renew every 3 months; usually this also means that they would be eligible for a work permit in Israel. In the past Israel also granted an automatic "temporary protection group" status to all citizens of the Ivory Coast and South Sudan, although since then the validity of this status has expired. Regarding the other asylum requests filed by citizens of other countries and examined individually, the Interior Ministry stated that only a fraction of them were actually eligible of refugee status.

Development of illegal immigration from Africa to Israel

The Israeli government originally tolerated the new arrivals from Africa. It allowed their entry and many migrants found menial jobs in hotels and restaurants. But after their numbers swelled, concerns were raised. In the second half of the 2000s decade, there was a significant increase in the number of undocumented workers from Africa to Israel who crossed the Egyptian border. In 2006 about 1,000 undocumented workers were detained; in 2007 about 5,000 were detained; in 2008 about 8,700 were detained; and in 2009 about 5,000 were detained. In the first half of 2010 the migration rate even further increased in the first seven months when over 8,000 undocumented workers were caught.

In early May 2010, it was estimated that 24,339 undocumented workers resided in Israel, of whom the number of Sudanese and Eritrean refugees who are not deportable under international law was 18,959: 5,649 Sudanese and 13,310 Eritreans. 16,766 of them received a special visa (כ 28 5) granted to illegal immigrants who are non-deportable asylum seekers. Officially, the visa allows them only to stay in the country, but in practice the state also allows the refugees to work and avoids imposing fines on the Israeli employers who employ them. This special visa requires renewal every three months. 141 immigrants, mostly from Ethiopia, received refugee status.

According to the IDF's Operations Division in 2008, most of the countries from where the illegal immigrants came are (in descending order): Eritrea, Sudan, Ethiopia, Ivory Coast and Nigeria. Most of the illegal immigrants (85%) were men.

Immigration to Israel

Most migrants initially arrive in Egypt, and from there they often pay sums of up to two thousand dollars for Bedouin smugglers to transfer them to the border between Egypt and Israel. There have been cases of abuse against the female migrants committed by the Bedouin smugglers, including rape, kidnapping for ransom, and murder. Another danger for the migrants includes the Egyptian army policy to shoot at them in order to prevent crossing the Egypt/Israel border.

Numbers and place of residence

As of April 2012, 59,858 illegal immigrants who were never imprisoned in detention facilities have illegally enter into Israel (in August 2010 the number of the imprisoned was 1,900). Several thousands of them did not end up staying in the country. The Israeli department of immigration does not keep continuous supervision over their place of residence but, according to estimates based on data from the Israeli police, the local authorities and the aid organizations, approximately 34,000 illegal immigrants originated from Eritrea, about 15,000 originated from Sudan and 10,000 originated from other countries. The Israeli Administration of Border Crossings, Population and Immigration does not keep detailed documentation regarding their place of residence, but according to estimates from 2011, which are based on data from the Israeli police, the local authorities and the NGOs, circa 15,000–17,000 illegal immigrants lived in Tel Aviv (mainly in southern Tel Aviv, though the number also includes illegal immigrants living in Bat Yam and Bnei Brak) and 4,000–8,000 living in Eilat. While the estimates in Ashdod range from 1,500 to 2,000 illegal immigrants, in Jerusalem range from 1,000 to 8,000 illegal immigrants, and in Arad range from 400 to 600 illegal immigrants. Their most prominent occupation is working in hotels, especially in Eilat.

Involvement in crime

In a discussion held by the police commissioner Dudi Cohen in December 2010, he stated that while there is a decline in cases of robberies in the general population, there is a dramatic increase in this type of crime among the illegal immigrants. According to the research department of the Israel Police and Israel's foreign immigrants' crime is characterized by predominantly sectoral internal crime, in which a gun is not reported, and illegal immigrants generally have no interest in complaining to the police. Due to an increase in criminal acts and the feeling of insecurity among the residents of southern Tel Aviv, the Israeli police established a new station near the New central bus station and the Shapira neighborhood. The station includes approximately 100 police officers and is expected to accommodate about 150 police officers. According to the data of the Israeli Police, which was presented to the Knesset in March 2012, from 2007 there was a steady increase in the involvement in crime of the illegal immigrants, both due to the significant increase in their numbers and for various other reasons. In 2011, 1,200 criminal cases were opened against illegal immigrants from Africa, half of them in the Tel Aviv district. This is an increase of 54% in comparison to the previous year.

Israeli police reported experiencing difficulties dealing with criminal cases involving illegal immigrants originating from Africa, since the police do not possess interpreters who are capable of speaking the Tigrinya language spoken in Eritrea. In addition, the Israeli legal system also has reported a serious difficulty in conducting proper criminal procedures involving suspects who speak only the Tigrinya language.

In her ruling on the Holot "open detention facility", Israeli Supreme Court justice Edna Arbel stated that studies show the crime level among African migrants is lower than that of society in general.

Development of the state's treatment of African asylum seekers

In 2010 Israel began building a barrier along sections of its border with Egypt to curb the influx of illegal immigrants from African countries. Construction was completed in January 2013. 230 km of fence have been built. While 9,570 citizens of various African countries entered Israel illegally in the first half of 2012, only 34 did the same in the first six months of 2013, after construction of the barrier was completed. It represents a decrease of over 99%.

Israel also began deporting thousands of illegal immigrants who were residing in the country. It was reported that Israel was close to signing a deal with several African countries that accepted tens of thousands of African migrants currently residing in Israel in exchange for a benefits package including weapons, military knowledge, economic and agricultural aid.

In 2012, the Israeli Knesset passed an "anti-infiltration law." Many Africans who entered after the bill's passage or those whose visas have expired have been to the neighboring Saharonim prison. Advocates like MK Michal Rozin visited Saharonim and said that migrants received adequate food and medical care and were not mistreated, but said that sending migrants there was inhumane. However, conditions for many refugees elsewhere in the region are worse, and Israeli officials maintained that conditions there were adequate. After the Supreme Court of Israel declared that the long-term custody of migrants in Sahronim was unconstitutional, the government opened Holot, an open facility, in December 2013. The 1,800 residents at Holot are allowed to leave but are required to sign in three times a day and return for an evening curfew. Israeli courts cancelled summonses of African asylum seekers to the Holot facility, and froze others until appeals can be heard against them. Judges also criticized the summons process, saying there exist fundamental problems, including the failure to examine individual circumstances and the lack of hearings for asylum seekers. The government stated that hearings were not necessary because ordering the migrants to travel to Holot does not violate their human rights.

On 22 September 2014, the High Court struck down the anti-infiltration law (under which the Holot facility operated) and ordered the state to close Holot within 90 days. The court addressed two measures: (1) whether to limit the detention of migrants, and (2) whether to close Holot. On both measures, the court sided with the petitioners (the Association for Civil Rights in Israel, the Hotline for Refugees and Migrants, ASSAF, Kav LaOved, Physicians for Human Rights–Israel, and Amnesty International–Israel). The ruling said that conditions at the facility were an "unbearable violation of [their] basic rights, first and foremost the right to freedom and the right to dignity". Illegal migrants can no longer be detained for up to a year without trial. The court also criticized the government for passing an amendment that effectively preserved the same defect that led the court to cancel the amendment it replaced. Right-wing MKs vowed to introduce legislation to limit the powers of the court and change the method by which its judges were chosen. However, a spokeswoman for then–Justice Minister Tzipi Livni noted that any new legislation would be within the limits set by the court's ruling protecting the Africans' fundamental rights.

The vast majority of the roughly 54,000 African migrants remain free, largely concentrated in impoverished areas of southern Tel Aviv. The Tel Aviv municipality offers them aid, including welfare and education for their children.

Aid organizations

Israel has a number of organizations focused on helping the asylum seekers in Israel (mainly by legal aid) including the Hotline for Refugees and Migrants, ASSAF, Physicians for Human Rights-Israel, African Refugees Development Center and Association for Civil Rights in Israel. Most of these organization are funded by the New Israel Fund. Relief organizations have been involved in discussions held in Knesset committees on this issue and have submitted a petition against the measures the state has taken to put a halt to the phenomenon of immigration.

Reactions in Israel to asylum seekers and illegal immigration

The situation underscores the tension between two strong feelings in Israel. Israel was founded in the wake of the Holocaust and has provided refuge to Jews fleeing oppression around the world. On one hand, many Israelis feel Israel has a special responsibility to assist refugees in such dire conditions. On the other hand, many Israelis fear the continued migration of asylum seekers and refugees would open the floodgates to overcrowding in Israel, which is already the third most densely populated region on earth.

The Israeli demographer Arnon Sofer has expressed his opposition to the African illegal immigration phenomenon for several reasons. He claims that from a security perspective, they may serve as "informant" or as "operatives of hostile states or terrorist organizations". Socially, he claims that they are contributing to the congestion in the cities and to the rise in crime. From the demographic perspective, he perceives the asylum seekers and illegal immigrants to be a demographic threat to the Jewish majority. According to Sofer, failing to stop the illegal immigration waves at an early stage will only lead to much larger waves of illegal immigration in the future.

The Israeli economic commentator Nehemiah Shtrasler estimated that the illegal immigrants take the places of weaker manual workers, causing loss of jobs and a reduction in the wages. He also claimed that they burden the health care, welfare and education systems. "We would never be able to raise the standard of living of the needy and reduce the gaps, if we keep on absorbing more and more destitute people."

The Israeli MK Ya'akov Katz (Katzele), who headed the government committee aimed at creating a solution to what they perceive to be an issue of illegal asylum seekers migrating to Israel, warned from immigration through the Israel–Egypt border and stated that if the current immigration rate to Israel would continue, within a few years there would be hundreds of thousands of illegal workers in Israel and that this would constitute a "demographic threat" to Israel, in addition to the other issues this situation would lead to, such as an "increase in crime and poverty in the areas in which the immigrants concentrate". One of Katz's proposals was to establish a city near the Egyptian border, where the immigrants would be gathered before being deported from the country.

In December 2011, Mayor of Tel Aviv Ron Huldai addressed Israeli Prime Minister Benjamin Netanyahu and demanded that the government would take "immediate emergency actions" against the immigrants. Huldai stated "Israel cannot continue to ignore the growing wave of immigrants, which at this point it is clear to everyone that they infiltrate to Israel as migrant workers and that they are not in an existential threat." Huldai called to "protect Israel's borders against infiltration" and also to allocate the necessary resources for the immigrants who already entered the country "and caused severe distress to the residents of the neighborhoods who were forced to deal with this influx".

In Israeli cities that have high rates of African illegal immigrants, a resistance has emerged among the local population against this phenomenon. In mid-2010, a demonstration was held in Eilat against the non-action of the Israeli government, the residents claimed that they are now afraid to walk outside at certain neighborhoods at night. In the Shapira and Kiryat Shalom neighborhoods in the southern part of Tel Aviv a number of real estate agents have stated that they intend not to rent apartments in these neighborhoods to the illegal immigrants.

On 23 May 2012 a demonstration was held in the Hatikva Quarter, in which more than a thousand Israeli protesters protested against the way the Israeli government has been handling the influx of immigrants so far. During the demonstration the MKs Miri Regev, Danny Danon, Ronit Tirosh and Michael Ben-Ari held speeches. Later on the protest turned violent, as the participants began attacking passersby people, shattered panes of stores belonging to owners of African descent, burned garbage cans and clashed with the police forces. President Shimon Peres issued a condemnation of the violent words and actions against the African migrant workers, calling on Israelis to refrain from racism and incitement, saying: "Hatred of foreigners contradicts the fundamental principles of Judaism. I am well aware of the difficulties faced by the residents of south Tel Aviv [and other similar areas], but violence is not the solution."

In a Channel 2 interview in November 2013, Tel Aviv Mayor Ron Huldai scoffed at government policy toward the migrants, saying, "Can 50,000 people be a demographic threat? That's a mockery. ... The truth is they will remain here. They are human beings and I must take care of them."

On the other hand, demonstrations, rallies and other event supporting the refugees have also been held regularly. On 28 December 2013 thousands have protested in Tel Aviv against detention of asylum seekers from Sudan and Eritrea. The protesters, marched from Levinsky Park in South Tel Aviv to city center, decrying the detention without trial of African refugees in the Saharonim and Holot detention facilities. Migrants have reportedly said to fear for their life should they return to their home countries.

On 15 January 2014, the Knesset Committee on Foreign Workers met to discuss the Immigration and Border Authority policy toward asylum seekers and its impact on the business sector. African asylum seekers were present and participated in the Knesset

meeting. They were supported by MK Michal Rozin of Meretz.[[]

In April 2014, activists organized a Passover seder with migrant workers at the Holot facility to recall the Passover story and call attention to the plight of the migrants. Similar seders were held in support of the migrants in Tel Aviv and Washington.