

# Trafficking and Exploitation in the Agricultural Sector in Israel

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The fertile ground for growing slavery



# Structural Elements

## 1. Unstable ground under weak feet – the Binding Policy:

The employees' visa expired at the end of the working relationship with the current employer.

- The legal status of the employee is always at risk.
- The power is in the hands of the employer.
- Effects the way employers view employees as property.

**Result – convenient conditions for creating modern slavery.**



Case no. 4542/02, Kav Laoved and others vs. The State of Israel

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"Indeed, one must conclude – painfully and shamefully – that the migrant worker became the employer's serf... binding employees to the employers in that way created a form of modern slavery. In this binding arrangement the state ... shackled the employees' hands and feet to the employer who "imported" them – nothing less"

## 2. The mediation fee problem

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- Until today the state of Israel chose to recruit employees through the private sector.
- Creates debt bondage.

**Mediation fee + binding = Fertile ground for trafficking.**

# The case of Parnpawi

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This case demonstrates both the outcomes of the binding as well as the need of interstate cooperation in recruiting migrant workers to prevent trafficking.

Parnpawi paid thousands of dollars to a manpower agency in Thailand to arrange her employment in Israel. They made her sign a contract that forbids her from leaving her employer. When she arrived in Israel she was forced to give sexual massage to her employer in addition to long, underpaid working hours in the field. After two months she complained to “Kav Laoved” volunteer who helped her find another job. Right after that her family in Thailand was sued for thousands of dollars by the manpower agency for contract violation.

## 3. Cultural factors

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- Most of the employees are from Thailand.
- A strong tradition of obeying authority.
- A tendency of avoiding complaints.
- The agriculture nature in the Zionist ethos encourages the state to preserve the agriculture field at all costs.

## 4. Political and economical factors

- A strong farmers' lobby.
- Dependency on cheap labor to compete in the global market.

# Enforcement difficulties

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1. **Language problem:** There is no requirement of language skills from the employees on one hand, and no neutral translators on the other.
2. **Shortage in human resources** (inspectors of Ministry of Labor).
3. **Inaccessibility:** Most employees live in the remote countryside, where there are no police stations or human rights organizations. The way to reach help is long and expensive.
4. **The cost of the complaint:** Lost of residence and job, in addition to risking unemployment and deportation.

# The case of Heletz.

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- This case demonstrates the price that employees pay for complaining, and how the system actually encourage violations.

18 workers complained about exploitation and abuse, including passport confiscation and violence by their employer. The Ministry of Labor, after investigating the case, decided to revoke the employer's permit to employ migrant workers. In order to enforce the revoking the inspectors came to the farm and took the employees to nowhere. The employees, who had no place to go, no way to communicate and didn't know how to find a new employer took a taxi back to the abusive employer – this time absurdly risking also arrest for working illegally.

# Agriculture employees or slaves?

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All the elements described above has led to the fact that migrant workers in the agriculture sector are the weakest and most vulnerable group of employees in Israel: They work the longest hours in harsh conditions, are permanently underpaid, and are less likely to stand up for their rights. The law of trafficking demands more severe elements to define a case as “slavery” but there is a very thin line between an employee who’s paid only 2-3 euro an hour for seven long days workweek and a slave that gets nothing but food and accommodation. Especially considering that a large part of the salary is used for paying loans.



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# Practices

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Most of the progress that was done is on the level of supplying aid and protection to victims of trafficking. This aid is also given miserly (the case of Met). However, until some necessary actions will be taken the victims that we know about will be only the tip of the iceberg. Until structural changes will be implemented it will continue to be routine.