

State of Israel against Human Trafficking

October 25, 2007

David Levy, Deputy Head of Mission,
Embassy of Israel to Latvia and Lithuania

In Israel, trafficking is mainly observed for the purpose of prostitution, but there were also a few cases of forced labor. As regards trafficking for the purpose of prostitution, most of the victims are young women from the former Soviet Union. The police estimates that the numbers of such victims have decreased from 3000, in 2003, to a few hundred, in 2006. Speaking about trafficking for slavery or forced labor, of late there have been several investigations, which may lead to indictments and most of them are in the foreign workers' sector in the field of agriculture.

Operative steps which are taken to combat trafficking reflect Israel's growing awareness of the need for a comprehensive view of trafficking. Legislation, government's decisions, procedures and public education are geared to deal with trafficking as a whole. Therefore, Israel has enacted a comprehensive anti trafficking law, which came into force on October 29th, 2006. The new legislation reflects tools to combat human trafficking, as well as place emphasis on the primacy of victims' protection. The **new legislation** includes several provisions, including:

- a. A cluster of offences criminalizing all forms of slavery, forced labor, and trafficking for a wide array of purposes.
- b. Minimal imprisonment time for crimes of trafficking and slavery, which is not less than one fourth of the maximal penalty term.
- c. Obligation of courts to compensate victims.
- d. Economic tools to combat trafficking (broad forfeiture provisions).
- e. A special forfeiture fund, assets of which are to be allocated for promoting the fight against trafficking and slavery.
- f. Tools to promote the international battle against trafficking: extraterritorial jurisdiction in regard to Israeli citizens who commit these crimes abroad and authorization of courts to enforce foreign forfeiture orders.
- g. Various protection measures for victims of trafficking and allied crimes.

According to the Government's Decision of May 21, 2006, a **Committee of Directors General** was established for coordinating policy on the battle against trafficking in persons and dealing

with the problems of human trafficking in an ongoing way. The Committee has met twice since its establishment and approved a **National Plan**, as well as appointed two subcommittees to elaborate recommendations for the National Plans in the areas of trafficking for slavery and forced labor and trafficking for prostitution. The first subcommittee submitted its recommendations and they were approved by the Committee of Directors General on January 10th, 2007.

The Government also decided on the appointment of a **National Coordinator** to coordinate actions between governmental agencies, as well as between the latter and NGOs in the fields of prevention, prosecution and education. The Coordinator, – Ms. Rahel Gershuni, was officially appointed on May 31, 2006. Approximately a year later, on March 5, 2007, an "**Integrated Intelligence Center**" was established, in order to combat severe crime, organized crime and its outcomes. The Intelligence Center integrates different intelligence bodies, including the Police, the Tax Authority and the Money Laundering Prohibition Authority. This is a unique and innovative approach allowing members of different intelligence bodies to collaborate. On its turn, the appointment of a special Parliamentary Committee on Trafficking in Women has placed trafficking in the public eye and exerted pressure upon the government to improve various aspects of the battle against trafficking. In the realm of legislation, members of the Committee have initiated several important laws, including a comprehensive bill on trafficking which was deliberated upon at the Law and Justice Committee of the Knesset in conjunction with the Government' bill in the Constitution. The two bills were consolidated and became the new comprehensive trafficking law.

This year also a decision to implement a **risk assessment procedure** with regard to any entrant to Israel, who claims as being endangered to be returned to the country of origin, was made. This includes victims of trafficking of any kind. If the claim is substantiated, an alternative solution will be sought.

It has to be mentioned that there is a growing cooperation among governmental agencies and between them and **NGOs**. This cooperation is especially notable between NGOs and representatives of the Ministry of Industry, Trade and Labor, the Immigration Administration, the Police and the National Coordinator, where the latter involves representatives of NGOs in meetings, includes them in the round table discussions and

encourages other governmental agencies to participate in meetings. An interesting phenomenon which recently has emerged is a growing tendency of existing NGOs in different fields to take upon themselves some part of the battle against trafficking.

Speaking about **international collaboration** it has to be mentioned that Israel has signed two major international treaties on trafficking and has commenced procedures in order to ratify them. These treaties are the Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In addition, Israel has ratified the United Nations Convention against Transnational Organized crime.

Operative steps: The Police and the State Attorney give priority to the prosecution of trafficking for the purpose of prostitution. The Courts have espoused broad principles of interpretation which allow the conviction of all links in the chain of trafficking and sentencing is increasingly severe. At the same time a **shelter** for victims of trafficking for the purpose of prostitution was established in February of 2004. The shelter has the capacity to accommodate 50 victims. It provides medical and psycho-social services, as well as an assistance in finding jobs, while women reside in the shelter. Also **visas** are accorded to trafficking victims in order to allow them to stay in Israel for limited periods for rehabilitation. Usually these visas are for the period of one year. It is police and prosecutorial policy **not to indict victims of trafficking for prostitution purposes** for crimes integral to the trafficking process such as illegal entry or forged documents, even if they return to Israel a number of times.

Besides the steps described above there are measures taken also in the field of **slavery and trafficking for slavery and forced labor** in particular. **Joint investigations** by inspectors of the Ministry of Industry, Trade and Labor and officers from the Immigration Administration are carried out in order to decide on the spot, if a certain situation is in the realm of trafficking, slavery or forced labor and should be investigated by the police. There is also an **Ombudswoman for the Complaints of Foreign Workers**, who serves for clearing complaints of foreign workers in the field of construction and there has been a decision to broaden her mandate to include the fields of agriculture and nursing care. This is an important development, as providing a friendly climate for complaints is of vital importance in case foreign workers are to give information on severe exploitative situations such as trafficking, slavery and forced labor.

It has to be marked that the government has consciously changed the system under which foreign workers are employed in order to create a climate unfriendly to exploitation.

It has to be stressed that Israel has expended much effort to prevent trafficking crimes. The State carries out a tight control over its **borders**, in the air and sea ports in particular. In addition, a special unit has succeeded in decreasing smuggling of victims over the land border between Israel and Egypt.

The work of **dissemination of information** also is being carried out. The Ministry of Foreign Affairs has prepared and distributed brochures in countries of origin warning potential victims of the danger of entering Israel illegally. On its turn, the Ministry of Industry, Trade and Labor issued a special brochure ("Zchuton") on foreign workers' rights in the construction field. The brochure was published in English, Russian, Romanian, Turkish, Thai and Chinese. The "Zchuton" is also distributed by the Ministry of the Interior to foreign workers arriving at the Ben Gurion airport. The "Zchuton" contains instructions for workers, including on how to contact the Ombudswoman in any case of violation of their rights. In addition, a brochure setting out all the general labor rights of foreign workers in Israel is published on the website of the Ministry of Industry, trade and Labor in many languages. An additional method to disseminate information has been implemented by the Israeli Embassy in Thailand in cooperation with the Thai Labor Ministry. The booklet is to be attached to the passport of each worker that receives a visa.

However, legal activities are just one side of the coin. It has to be stressed that various **educational initiatives** during this year among bodies such as the Immigration Administration, the Legal Aid Division of the Ministry of Justice, the Police Training Academy, judges, the Ministry of Foreign Affairs and many others, take place. Intensive training goes on in law enforcement authorities with the active participation of the National Coordinator, who has prepared a tool-kit intended to provide the different authorities with tools to identify conditions of slavery, forced labor and trafficking for the purpose of slavery and forced labor.

The NGOs also contribute by educating the public and government functionaries regarding the needs of victims and their special states of mind. Their representatives appear in

government seminars and training sessions and participate in the sessions of the Parliamentary Inquiry Committee.

Referring to international cooperation in this field, it has to be said that a regional course on “Preventing Human Trafficking through Empowerment” for officials from Belarus, Uzbekistan, Ukraine and Moldova, is taking place in Israel at the moment. The course is organized by the Golda Meir Mount Carmel International Training Centre and the Israeli Foreign Ministry’s Center for international Cooperation, known as MASHAV, in cooperation with the Center for international Migration and Immigration and International Organization for Migration. The course deals with issues starting from street youth and domestic violence in the family, as these are problems that may “produce” victims of human trafficking, till anti-trafficking strategies and media campaigns for promoting social changes.

As we see in general the most important developments in the field refer to the growing cooperation between various institutions and organizations. The Government, Parliamentary Committee and NGOs are learning to work together. They do not always agree on every issue, but there is a growing tendency to cooperate and pool resources and expertise. Though steps have been taken to combat trafficking, this battle is not yet won. In the light of international conventions, we hope to continue waging war against such phenomena by engaging all parts and circles of the society in a mutual cooperation.