



*“You shall not wrong a stranger or oppress him,
for you were strangers in the land of Egypt.” (Exodus 22:20)*

On the Edge of Society

In the 1990s, Israel opened its borders to migrant workers, many of whom replaced Palestinians in the bottom tier of the labor market. Today, more than 250,000 workers from developing nations live and work in Israel as caregivers, agricultural laborers, and construction workers. Approximately 164,000 are considered illegal, lacking a contract with an employment agency and a visa. Recruited overseas by local contractors who charge huge sums of money, workers often remain in debt for years and are vulnerable to exploitation by employers. While many arrived in Israel legally, they have since lost their legal status.

For many years, the Israeli government looked the other way and made little effort to deport migrant workers. During this period, migrant workers married and had children, many of whom speak Hebrew as a first language and consider themselves Israeli. (Today there are 1500 children of migrant workers in Israel.) When unemployment rose in 2003, the Israeli government began a policy of massive deportations. Some families left Israel, fearing that their children would be detained and forcibly deported.

Because most migrant workers do not speak Hebrew and are not Israeli citizens, they are unable to advocate effectively for themselves. They are vulnerable to abuses and violations of their human and legal rights, including withheld payment, confinement, and criminal abuse. Most migrant workers have no representation or access to institutional help.

Challenges

Exploitation by employers

- Although the Supreme Court ruled against the “binding policy” that chains migrant workers to their employers in March 2006, the policy has not yet been implemented and it is unclear when it will take effect. Workers who are bound to their employers are subject to unsuitable living conditions, withheld salaries, non-payment of overtime wages, payment below minimum wage, and illegal confiscation of their passports by employers.
- Migrant workers are frequently arrested and deported before having a chance to testify against their employers.

Detainment

- There have been many instances of police brutality during the arrest and detention of migrant workers.
- Many migrant workers have not had access to state-funded legal aid or interpreters in judicial and deportation hearings.
- According to NGOs working with migrant workers, the police have detained and deported legal migrant workers in order to meet quotas to reduce the migrant worker population.

Obtaining legal residency

- The road to obtaining legal residency is very difficult for migrant workers due to their non-Jewish status.
- Hundreds of children of migrant workers who have completely integrated into Israeli society are at great risk of deportation, either because their parents entered Israel illegally or because they fall short of the government’s stringent requirements for obtaining legal residency.

NIF Activities and Achievements

With the aim of promoting a just and compassionate society in Israel, NIF works to protect the human rights of migrant workers and their families. Several of the NIF grantees in this field also combat trafficking in women, defend women brought into Israel to work as prostitutes, and protect the human rights of detained asylum-seekers.

Our grantees include:

- **Kav LaOved** (Worker's Hotline), which provides legal aid to disadvantaged workers and acts for systemic change in labor policies. www.kavlaoved.org.il/;
- **Hotline for Migrant Workers** (HMW), which provides legal advice and representation, and humanitarian support for migrant workers, works to enhance and enforce laws pertaining to migrant workers, and aims to eliminate trafficking of women in Israel. www.hotline.org.il/; and
- **Association for Civil Rights in Israel** (ACRI), which addresses a full range of human rights issues and works alongside Kav LaOved and HMW to protect the rights of migrant workers and combat trafficking in women. www.acri.org.il.

NIF and its family of grantees have achieved:

- **More humane treatment of detainees** by changing public perception of sex-trafficking victims, raising-awareness among authorities, obtaining state-funded legal aid to women willing to testify against pimps, obtaining a state-run shelter, and improving conditions in detention centers.
- **Freedom from bondage to abusive employers** by repealing a government policy that had bound migrant workers to their initial employers.
- **Health coverage** by the National Insurance Institute for migrant workers injured in work accidents, for all children of migrant workers, and for hospital costs in maternity wards.
- **Naturalization for children** by advocating for a cabinet decision in 2006 that grants legal status to 700 children over age 10 who have been living in Israel for at least 6 years.

Epilogue: Jena and Richard

Following the airing of this *Against All Odds* episode on Israeli television, in response to a petition by ACRI and the Hotline for Migrant Workers, the Israeli government granted Jena and Richard legal residency, along with about 500 other children who have lived in Israel for six years or more, speak Hebrew, and entered the country legally before the age of 14. Upon completion of army service they will obtain citizenship; their parents will also be granted permanent residency. However, this was a one-time resolution, not a permanent solution to the problem. There is still no clear-cut policy regarding non-Jews who wish to obtain citizenship in Israel.

"For You Were Strangers": Protecting the Rights of Migrant Workers

The Hotline for Migrant Workers (HMW) was established in 1998 to protect the human rights of migrant workers, including those who entered Israel illegally and combat trafficking in women in Israel. The New Israel Fund has supported HMW since 2000 and provided consulting and services for the organization through SHATIL.

When the organization was founded, foreign workers in Israel were living in conditions of modern slavery: if they left an employer for any reason---including inhumane living and working conditions---they immediately lost their legal status. The authorities considered the victims of the trade in women to be criminals, and there was no policy of punishing the traffickers who exploited them.

In recent years the authorities' attitude toward migrant workers has improved, in part thanks to the campaign waged by HMW and other human-rights organizations with which it cooperates, such as the Association for Civil Rights in Israel (ACRI), Kav LaOved, and various women's organizations (most if not all of them NIF grantees). Among other accomplishments, action by the High Court of Justice led to the abolition of the law "chaining" migrant workers to their employers, and the legal system launched a serious campaign against traffickers in women including vital protections for victims. It has also promoted a law to impose stiff prison terms for trafficking in human beings, defined as modern slavery, and worked to ensure humane treatment of migrant workers by the police.

The Hotline for Migrant Workers employs the following strategies:

- Individual counseling for migrant workers who contact the organization's hotline and volunteers who visit detention centers
- Legal action and advocacy aimed at decision-makers
- Public consciousness-raising

With the support of the New Israel Fund, the Hotline for Migrant Workers has achieved the following:

- Abolition of the law tying workers' visas to one particular employer;
- Granting legal status to 2,000 children of foreign workers;
- Advocating for Sudanese refugees, who are treated as enemy citizens by the Israeli government
- Expansion of the law banning trafficking in women for the sex industry to include all forms of trafficking in human beings
- Launch of the "Choosing Freedom" campaign to help women liberate themselves from their pimps

Questions for Discussion

General Discussion

1. What did you know about migrant workers in Israel before watching this video? After watching, what confirmed your view? What challenged it? What new information did you gain?
2. How would you describe the situation faced by migrant workers as portrayed in the video? What issues of fairness do you see in their situation?
3. How would you characterize Israel's immigration policy? What, if anything, would you change?
4. At the end of the video, Jena says "I don't want to end up hating Jews." What is your reaction to this statement?

Going Deeper

1. Israel's Declaration of Independence states, "The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles." It also guarantees "complete equality of social and political rights to all its inhabitants irrespective of religion, race or gender."¹

Immigration in Israel is primarily based on the Law of Return² (that is, having one Jewish grandparent), and naturalization for non-Jews is complicated and extremely limited.

In light of these two principles, what arguments would you make for and against Israel providing a road to citizenship for non-Jews? What is your personal view on this issue?

2. Jena is not Jewish, but identifies herself as an Israeli and talks about celebrating "Israeli festivals" such as Passover and other holidays. How do you relate to her identity? Do you consider her an Israeli? What does being an Israeli mean to you?

Further Resources

Hotline for Migrant Workers: www.hotline.org.il/

Kav LaOved (Worker's Hotline): www.kavlaoved.org.il/

US State Department 2005 Report on Human Rights: www.state.gov/g/drl/rls/hrrpt/2005/61690.htm

Israel Ministry of Foreign Affairs:

www.mfa.gov.il/MFA/MFAArchive/2000_2009/2001/8/Foreign%20Workers

www.mfa.gov.il/MFA/MFAArchive/2000_2009/2001/8/Multiculturalism%20in%20Israel-%20The%20Situation%20and%20the

New Israel Fund: www.nif.org/grantees.cfm?id=1043

¹ <http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Declaration%20of%20Establishment%20of%20State%20of%20Israel>

² http://www.mfa.gov.il/MFA/MFAArchive/1950_1959/Law%20of%20Return%205710-1950