

Fact Sheet

- As of October of 2017, there are now 38,000 documented migrants living in Israel, the vast majority of whom are Eritrean and Sudanese. The Hebrew word for this group is *mistanenim*, or infiltrators, and it consists solely of individuals who have crossed the Egyptian border into Israel without permits.¹
- Migrants are eligible to file for asylum, and their status changes to asylum-seekers as soon as their application is received.
- In addition, there are 74,000 people residing in Israel who had entered the country as tourists and have overstayed their visas, as well as 18,555 foreign workers without valid permits, but they're not the ones making headlines.
- Israel's Ministry of Interior **acknowledges** that thousands of Eritreans and Sudanese in Israel have submitted written asylum requests and are awaiting a response, while thousands more have been prevented from doing so.
- Between 2009 and 2017, 15,400 people opened files seeking asylum with the PIBA Office. Israel denied asylum seeker status to 6,600 people, and 8,800 applications for asylum are still open. Israel has recognized refugee status for one Sudanese and 10 Eritreans, out of thousands of applications for asylum, an acceptance rate of 0.056%.²
- Since Israel took over refugee status determination from UNHCR in 2009, only eight Eritreans and two Sudanese have been recognized as refugees by the authorities. Another 200 Sudanese, all from Darfur, were recently granted humanitarian status in Israel.³
- Outside of Israel, Eritrean asylum seekers are granted legal status on average 84 percent of the time and Sudanese nationals 56 percent of the time.⁴
- Backers of the asylum seekers' protest insist that Israel has not been doing the minimum required by the 1951 Refugee Convention to ascertain whether the migrants are refugees.
- Prime Minister Benjamin Netanyahu has long referred to the migrants as "infiltrators," claiming that they pose a threat to the state.⁵

¹ Liel Leibovitz <http://www.tabletmag.com/jewish-news-and-politics/255041/israels-african-migrant-crisis>. Accessed 10 Feb 2018.

² <https://www.timesofisrael.com/unhcr-in-talks-to-send-african-migrants-to-safe-countries-let-others-stay/>. Accessed 8 Feb 2018

³ <http://www.unhcr.org/news/press/2017/11/5a0f27484/unhcr-concerned-israels-refugee-relocation-proposals.html>. Accessed 9 Feb 2018.

⁴ <https://www.hias.org/hias-calls-protection-refugees-and-asylum-seekers-israel>. Accessed 8 Feb 2018

- Some 20,000 of the refugees have already left the country. According to a statement from Prime Minister Benjamin Netanyahu “The mission now, is to deport the rest.” And so the government is offering the remaining refugees this choice: jail in Israel or \$3,500 and a plane ticket to a third country, like Rwanda, in Africa.⁶
- The international community, primarily led by the High Commissioner for Refugees, is prepared to resettle up to half of Israel’s African refugees to Western and African countries where they will receive protected status, if Mr. Netanyahu agrees to cooperate.⁷
- A Dec 2016 **report** by the European Asylum Support Office, a European Union agency, made clear that there is significant uncertainty about the treatment of voluntary returnees to Eritrea, particularly those who evaded military service. While it seems that the Eritrean government has moderated some of its punitive response, “[a]ccording to almost all sources, individuals who leave Eritrea illegally are also subjected to extrajudicial punishment. It is unclear who is in charge of imposing penalties. No judgments are made public and there is no possibility of appeal.”⁸
- Addressing an appeal by human-rights groups to cancel the deportation, Israeli judge Rachel Barkai of the Be’er Sheva District Court **found** that not a single deportee “has argued that he was arrested in the third-country destination [to which he was deported] ... nor was it argued by anyone that staying in that country will expose them to any danger to their lives or their liberty.” The NGOs appealed to Israel’s supreme court and were again **rebuked** by the justices there for painting a patently false picture of the fate that awaits the migrants in Uganda and Rwanda. “After examining the evidence,” wrote former Supreme Court Chief Justice Miriam Naor in her **verdict**, “it is my opinion that the appellants did not succeed in proving that the [countries to which the migrants will be deported] are unsafe or that they are in any danger.” Naor also stressed that most migrants do not meet the criteria of asylum seekers, and reminded the appellants that most migrants never even bothered filing for asylum.⁹
- In their ruling, the Israeli Supreme Court judges in Jerusalem are similar to their colleagues in the European Court of Human Rights, which **ruled** last year that the expulsion of Eritrean asylum seekers from Switzerland would not breach the European Convention.¹⁰

⁵ <https://www.theatlantic.com/international/archive/2018/01/african-migrants-israel/551747/>

⁶ Rabi Susan Silverman. <https://www.nytimes.com/2018/02/07/opinion/israel-refugees-africa.html>. Accessed 10 Feb 2018.

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⁸ https://www.easo.europa.eu/sites/default/files/publications/COI-%20Eritrea-Dec2016_LR.pdf.

Accessed 11 Feb 2018. p.11

⁹ <http://www.tabletmag.com/jewish-news-and-politics/255041/israels-african-migrant-crisis>

¹⁰ <http://www.tabletmag.com/jewish-news-and-politics/255041/israels-african-migrant-crisis>

- It is presumed that many of those deported will then leave again in the hope of making it to Europe or somewhere else where economic opportunities are plentiful. Some, for example, try for Italy and end up in Libya, a failed and perilous state where scores of the migrants were arrested and a number exhorted, tortured and/or killed by armed militias. To argue, however, that this tragedy is any way the responsibility of the Israeli government is absurd.¹¹
- “For years, Israel has played a double game around deportations, said HIAS Israel Country Director Sivan Carmel. Even though the government argues that the Eritrean and Sudanese migrants are not real refugees, it has not sent them back to their country of origin, likely knowing that doing so might violate international conventions around refugee rights. Many migrants spent years in the Saharonim prison in the Negev desert when they first arrived and were later transferred to Holot, a nearby open-air detention center. Some would be released from these facilities and travel to Tel Aviv, only to be sent back again when they went to the Ministry of Interior to renew their visas, according to the Hotline for Refugees and Migrants.”¹²
- While Israeli authorities contend that the population in question—most of whom entered Israel between 2007 and 2012—are economic migrants, HIAS and other rights groups argue that they are asylum seekers and refugees deserving of protection.¹³

¹¹ Liel Leibovitz <http://www.tabletmag.com/jewish-news-and-politics/255041/israels-african-migrant-crisis>. Accessed 10 Feb 2018.

¹² <https://www.theatlantic.com/international/archive/2018/01/african-migrants-israel/551747/>. Accessed 10 Feb 2018

¹³ <https://www.hias.org/hias-calls-protection-refugees-and-asylum-seekers-israel>. Accessed 8 Feb 2018