



State of Israel

Ministry of Justice

**The Efforts of the State of Israel
to Combat Trafficking in Persons**

2013

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INVESTIGATION AND PROSECUTION OF TRAFFICKERS/PROSECUTION SECTION OF COUNTRY NARRATIVE:

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14. If the country does not have a specific TIP law, under what other laws can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of women in prostitution by means of force, fraud, or coercion? Are these other laws being used in trafficking cases? Please provide a full inventory of trafficking laws, including non-criminal statutes that allow for civil penalties against alleged trafficking crimes (e.g., civil forfeiture laws and laws against illegal debt).

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20. Law enforcement statistics (covering April 1, 2012 - March 31, 2013, or other standard reporting cycle used by the host government, such as the calendar year): The following standardized law enforcement statistics on forced labor and sex trafficking are needed: 1) number of new investigations of TIP cases; 2) number of prosecutions of TIP cases (please

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Key Concepts

In this Report:

- the “reporting period” being addressed herein is the 2012 calendar year, unless specified otherwise ;
- “Previous Report” means the trafficking report submitted in February 2012 by the State of Israel to the U.S. Department of State in respect of the 2011 reporting period.
- "2011 Report" means the trafficking report submitted in March 2011 by the State of Israel to the U.S. Department of State in respect of the 2010 reporting period.
- The term “trafficking” refers to five core criminal offences constituting “trafficking”, as legislated in Israeli law, which are described in the response to Question #12 of the Pervious Report, and in the response to Question #12 of the 2011 Report.
- “Related offenses” refers to offenses that are often, though not necessarily, related to trafficking but do not constitute trafficking per se. These include crimes such as pandering, causing a person to leave a country for the purpose of prostitution, withholding a passport and charging excessive brokerage fees. Please refer to the response to Question #14.
- Amounts in New Israeli Shekels (NIS) are also indicated in United States Dollars. The amounts in United States Dollars are approximate, and have been rounded up or down as appropriate.

Definitions

As used herein, the following terms have the respective meanings assigned to them below.

Key Government Bodies and Agencies

The following is not an exhaustive list. Please refer to Table 1 in the response to Question #6 of the 2011 report, which identifies the roles of some of these bodies and agencies in prevention and prosecution of trafficking and the protection and identification of victims.

Atlas and Ma'agan shelters: Government-funded shelters specially created to care for victims of trafficking for the purpose of prostitution, slavery and forced labor. While receiving their funding from the Government and being under the supervision of the Ministry of Social Affairs and Social Services, they are operated by independent, non-profit NGO. The Ma'agan shelter houses female victims of trafficking, and the Atlas Center houses male victims.

Committee of Directors General: A Policy-making committee created by Government Resolution which includes Directors General or senior representatives of key Government Ministries involved in anti-trafficking efforts, including the Ministries of Justice, Interior, Public Security, Finance, Health, Industry, Trade and Labor, Foreign Affairs and Social Affairs and Social Services and the Police. The Director General of the Ministry of Justice chairs the committee and the National Anti-Trafficking Unit reports to it.

Legal Aid Branch: The Legal Aid Branch is part of the Ministry of Justice, and provides free legal assistance to victims of trafficking, in civil trials as well as certain administrative appeals. While it is part of the Government, it enjoys some independence which includes the ability to file suits against the government on behalf of victims when necessary.

National Anti-Trafficking Unit: The primary government agency, within the Ministry of Justice, tasked with coordinating anti-trafficking efforts on a national scale. It is headed by the ***National Coordinator***.

Police Prosecution Unit (Lahav): criminal prosecution unit within the Police, responsible for the prosecution of certain crimes against foreign workers such as restrictions on movement, false imprisonment, exploitation, fraud, withholding a passport, sexual harassment and other sexual offenses, violence offenses and forgery, which fall under the jurisdiction of the Magistrate's Court (court of first instance for certain criminal offenses).

Population and Immigration Authority (or PIBA): An agency within the Ministry of Interior, with various functions related to the battle against trafficking. Among the most important functions: the **Coordinator**, responsible for coordinating all activity in regards to trafficking and also for issuing special work visas for victims of trafficking; the **Permits and Licensing Unit**, denying and freezing permits to employ foreign workers and licenses of placement agencies; the **Enforcement Unit**, responsible for detaining illegal foreigners and conducting

hearings in order to decide whether to release them or order that they be placed in a detention facility; **Labor Inspectors** who supervise that the conditions of foreign workers conform to law and investigate violations; **Border Control**, whose officers monitor exits and entrances to Israel; **the Refugee Status Determination Unit (RSD)**; which reviews applications to be recognized as refugees; and the **Supervisor of Social Workers of Foreign Workers' Recruitment Agencies** who trains and supervises social workers that check conditions of foreign nursing care workers.

Prosecution Unit/Enforcement Division of the Ministry of Industry, Trade and Labor: Responsible for the investigation and prosecution of violations of labor laws, including violations of laws requiring that foreign workers be given proper conditions.

The Knesset Subcommittee on Trafficking in Women: A subcommittee of the Committee on the Status of Women, within the Knesset (Israel's Parliament), focusing on the battle against trafficking in women. During 2012 the Chairperson of this Subcommittee' was MK Orit Zuaretz.

State Attorney's Office: The State of Israel's principal civil and criminal prosecuting authority, under the Ministry of Justice. In the State Attorney's office and the Districts' Attorneys' offices there are referents who specialize in the topic of trafficking in persons and they are also responsible for conducting lectures and training sessions on the topic.

Courts

Supreme Court: Israel's highest court. When sitting as High Court of Justice, it also serves as a review court for decisions of Israeli Government agencies.

Detention Review Tribunal: A tribunal responsible for reviewing detention of illegal foreign residents held in the detention facilities (Saharonim, Givon and Matan). The Detention Review Tribunal has a central role in identification of victims, as it occasionally encounters individuals that may be victims of trafficking; when they are identified as such by a Detention Review Tribunal judge, they are referred to appropriate authorities for care.

Labor Courts: A Specialized court system (first instance and appeals) dealing with labor matters, including laws regarding foreign workers' rights.

Other Relevant Terms

A5 visa: Residency permit for individuals other than residents seeking citizenship.

B1 visa: A work and residency permit. It can be granted to a victim of trafficking for a one-year rehabilitation period and can be extended. A B1 visa can also be granted to enable a victim to remain in Israel in order to testify in proceedings against traffickers, usually received for a period exceeding one year. The B1 testimony-related visa may be extended for the duration of investigations and/or court proceedings.

Sinai: The Sinai desert, forming part of Egyptian territory, bordering Israel.