National Plan regarding the Battle against Slavery and Trafficking in Persons
for the Purposes of Slavery or Forced Labor

Committee of Directors General regarding the Battle against Trafficking in Persons

In its meeting of January 10th 2007, the Committee of Directors General regarding the Battle against Trafficking in Persons decided upon a National Plan to combat slavery and trafficking in persons for the purposes of slavery or forced labor. This decision was based on the recommendations of a sub committee appointed by the Committee. Such a national plan is a necessary first step in the development of a strategy to suppress this scourge.

The Committee of Directors General was established by two Government Decisions, from the 28th of December 2003 and the 21st of May 2006, which mandated the appointment of such a committee which would be responsible for forging decisions to coordinate the battle against trafficking in persons on three planes: prosecution, protection of victims and prevention. According to the Government Decision of May 2006, the Committee is composed of the Director Generals of relevant ministries or their senior representatives.

The following government offices are represented in the Committee: the Ministry of Justice, the Ministry of Public Security, the Ministry of Social Affairs, the Ministry of the Interior, the Ministry of Industry, Trade and Labor, the Ministry of Foreign Affairs, the Ministry of Health, the Israel Police and the Prime Minister's Office. The Director General of the Ministry of Justice serves as Chairman.

The subcommittee, which presented its recommendations to the Committee, was composed of representatives from the government offices represented in the
Committee. The Chairperson of the subcommittee was the Government Coordinator of the Battle against Trafficking in Persons in the Ministry of Justice. Representatives of non governmental organizations were invited to attend in order to contribute their experience.

The Plan does not purport to regulate the field of foreign workers in general, since this task is assigned to other bodies, but rather to develop recommendations regarding the battle against the most severe phenomena in this field – slavery and trafficking for the purposes of slavery and forced labor. Nevertheless, these recommendations may require changes in existing arrangements in the field of foreign workers, as far as they may create a climate friendly to the development of such severe phenomena.

The following is a summary of the decisions which were made on the planes of prevention, prosecution and protection. It should be emphasized that these decisions constitute a National Plan, and not operative procedures, which will need to be designed in the wake of the plan.

**Prevention**

1. A data base of information on slavery and trafficking for the purposes of slavery and forced labor should be created, including by means of data sharing among government agencies, strengthening channels of communication with non governmental organizations and encouraging research.
2. Steps should be taken in order to inform the Israeli public regarding these phenomena, including its duty to report to the police suspicions of trafficking for the purpose of slavery and forced labor, within the purview of the criminal law.
3. The public, and sectors among it, should be encouraged to submit relevant information to the police on the subject of slavery and trafficking for the purposes of slavery and forced labor, and in particular, sectors which may come into contact with victims of these crimes, including private enterprises.
4. Information campaigns would be undertaken in the countries of origin of foreign workers in order to equip them with basic information about employment conditions and rights in Israel.
5. Steps should be taken in order to inform foreign workers about their basic rights during early stages of their arrival in Israel.

6. The question of establishing contact with countries of origin of foreign workers should be deliberated upon, in order to bring about agreement as to supervision of their recruitment and informing them regarding their rights before their arrival in Israel.

7. Training should be forwarded among representatives of government offices who work with foreign workers regarding trafficking in persons and slavery.

8. The supervision over the Egyptian border should be heightened.

9. The arrangements detailed in Government Decisions 446, 447, and 448 should be implemented regarding the new system of employment of foreign workers by means of private offices, upon whom various obligations and monetary guarantees are to be imposed, in order to ascertain adequate supervision over workers' conditions.

10. The Government Coordinator should be required to report to the Government periodically about the scope of the phenomenon, its characteristics and the steps the government has taken in order to combat it.

11. A policy should be considered of not allowing the entry of foreign workers from countries which have no embassy or consulate in Israel, unless exceptional circumstances exist.

12. It is important to adhere to a policy of mobility of foreign workers and especially in the realm of nursing care.

13. It is important to undertake inspections in order to identify cases of fictitious requests for foreign workers.

14. The ratification procedure of international treaties to suppress trafficking in persons, should be completed as soon as possible.

15. The subcommittee which submitted recommendations, should be appointed as a permanent subcommittee, which meets periodically in order to deal with problems and draft recommendations.

Prosecution

1. A clear policy should be established regarding the investigation and prosecution of crimes against foreign workers, distinguishing between cases
which merit criminal investigation and prosecution according to the Criminal Law and cases in which investigation and prosecution on the basis of regulatory offences suffices.

2. A clear division of labor should be coordinated among the law enforcement agencies in regard to investigation and prosecution of regulatory offences versus Criminal Law offences like trafficking and slavery.

3. A procedure should be forged regarding the transfer of information about cases in the process of being investigated among law enforcement agencies.

4. Coordinators should be appointed in the Police, the State Attorney's Office and the Ministry of Industry, Trade and Labor in order to develop a broad view of the problem, to serve as a source of information, and to function as a clearing house in transferring cases to appropriate law enforcement agencies.

5. The enforcement policy of the Ministry of Industry, Trade and Labor in regard to protection of foreign workers should be heightened.

6. A guide by which to identify victims of trafficking and slavery (otherwise known as a national referral mechanism), should be designed, to be used at relevant crossroads.

7. A policy of encouraging complaints of foreign workers against those who have committed crimes against them, should be encouraged.

8. Enforcement should be heightened in regard to the prohibition against middleman fees paid by foreign workers, beyond sums established by law.

9. Supervision over manpower agencies and private offices dealing with foreign workers, should be heightened, including implementation of existing Government Decisions.

10. Supervision of employers of foreign workers should be strengthened.

11. Cooperation between Israeli law enforcement agencies and like agencies abroad should be heightened to combat these phenomena.

12. Use of financial tools to combat trafficking should be heightened in appropriate cases.

13. Cooperation among criminal, regulatory and financial law enforcement agencies should be heightened.

14. A comprehensive translation system should be set up, capable of serving all the relevant points at which foreign workers come into contact with government agencies.
15. Ways and means should be devised of transferring information about criminal convictions of trafficking and slavery to agencies responsible for allocating permits and licenses to employ or otherwise deal with foreign workers.

16. Efforts should be made, as far as possible, to expedite the resolution of cases of trafficking and slavery in the courts and the Department for the Investigation of Police Officers.

Protection

1. Supportive frameworks and an array of services should be established for victims of slavery and trafficking for the purposes of slavery and forced labor, including residence solutions, if necessary, and medical insurance.

2. A social worker, who is a public servant, should be employed in detention facilities in order to support victims of trafficking and slavery and contribute to identification of such victims.

3. A procedure to grant legal aid to victims of slavery and trafficking for the purposes of slavery and forced labor should be designed. ¹

4. A pilot should be considered by which social workers who are public servants are appointed to interview nursing caretakers and agricultural workers, in order to investigate their employment conditions.

5. A policy of not prosecuting victims of trafficking and slavery for crimes integral to the crimes committed against them, should be deliberated upon.

6. A procedure should be designed by which visas may be given to victims of slavery and trafficking for the purposes of slavery and forced labor with the aim of rehabilitation, in accordance with the policy of the Minister of the Interior, as announced in the Knesset.

7. Transfer of information between the Ministry of the Interior and the Immigration Authority should be continued and heightened in order to prevent unnecessary arrests of foreign workers.

¹ It should be noted that victims of slavery and trafficking for the purposes of slavery and forced labor have been accorded legal aid, without having to meet economic criteria until September 2008 according to the new comprehensive trafficking law passed into law on October 19th, 2006 and in force since October 29, 2006. This recommendation relates to a procedure which will include details of how to carry out this obligation.
8. The Government Decision to broaden the function of the Ombudswoman who deals with the complaints of foreign workers in the Ministry of Industry, Trade and Labor, should be implemented, in order to authorize her to deal with complaints outside the field of construction.

9. Establishing a hotline for foreign workers should be considered in order to aid in identification of victims of slavery and trafficking for the purpose of slavery or forced labor.

10. Consideration should be given to applying the Protection of Witnesses Plan (from January 4, 2005), to victims of trafficking and slavery or allied crimes, as far as this plan becomes operative.

11. Awareness in Courts and State and District Attorneys should be heightened regarding legislation requiring courts, in general, to rule on compensation of victims of trafficking and slavery in the framework of the criminal procedure.

12. Legislation, regulations and guidelines whose purpose is to protect victims of trafficking and slavery and to heighten their access to courts, should be encouraged.

13. Safe return of victims of trafficking and slavery to their countries of origin should be promoted.

The Committee of Directors General decided to promote 5 decisions which are viewed as of highest priority at this stage, and appointed teams in order to design operative steps to implement them:

1. In the realm of prevention: to undertake information campaigns in the countries of origin of foreign workers in order to equip them with basic information about their conditions of employment and rights (decision 4 in the chapter on Prevention).

2. In the realm of Prosecution: to coordinate a clear division of labor among the law enforcement agencies in regard to investigation and prosecution of regulatory offences versus Criminal Law offences like trafficking and slavery (decision 2 in the chapter on Prosecution).

3. In the realm of Prosecution: to design a guide by which to identify victims of trafficking and slavery (otherwise known as a national referral mechanism), to be used at relevant crossroads (decision 6 in the chapter on Prosecution).
4. **In the realm of Protection**: To establish supportive frameworks and an array of services for victims of trafficking and slavery, including residence solutions, if necessary, and medical insurance (decision 1 in the chapter on Protection).

5. **In the realm of Protection**: To promote safe return of victims of trafficking and slavery to their countries of origin.

In addition, the Committee of Directors Generals appointed the subcommittee who submitted the recommendations as a permanent subcommittee which will meet periodically in order to deal with problems and draft recommendations.