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The Role of Non-Jewish Migration in Israeli Policy

Michał Wojnarowicz

The role of the non-Jewish population in Israeli migration policy has increased. This is related to the wave of migration from Africa and an influx of foreign workers from Asia and Eastern Europe. Prime Minister Benjamin Netanyahu's government declared the issue of African migrants a matter of state importance, which is reflected in Israeli domestic and foreign policy. The subject of migration could be an area of closer cooperation between the EU and Israel.

Israel focuses its migration policy on the immigration of Jewish people to Israel under the Law of Return. The Israeli government perceives maintaining the Jewish character of the state in terms of national security, which generates tension in the case of non-Jewish migration.

Migration from Africa. Since the mid-2000s, Israel has become a destination of mass-migration from Africa, primarily from Darfur and Eritrea. Between 2006 and 2012, about 65,000 Africans crossed the Israeli-Egyptian border in Sinai. This migration route was closed with the completion of a barrier along the entire border in 2013, and according to the Israeli Ministry of Foreign Affairs in 2017, there has been no irregular crossing.

Israeli authorities initiated a policy of reducing the number of migrants: turning them back at the border (only in the first years of mass-migration), transfers to detention centres, obstructing access to the labour market, and “voluntary” relocation to third countries, e.g., to Rwanda or Uganda. As a result, more than 20,000 Africans left Israel. Currently, the number of African migrants in Israel is estimated at about 38,000, not including several thousand children already born in Israel. Of the total, 26,500 come from Eritrea, 7,500 from Sudan, and about 3,000 from other African states.

Foreign Workers. Since the 1990s, economic development and narrowing the Israeli labour market to Palestinians (citing security reasons and mainly by limiting work permits) has resulted in a massive inflow of foreign labour to Israel. At first, the government acted to reduce the number of foreign workers, which then amounted to 11% of all employees at its peak, because of high unemployment amongst Israelis and a significant percentage of illegally employed. However, in 2013, Israel abandoned this policy under pressure from employers and the constant demand for cheap labour in sectors such as agriculture, construction, and caregiving. The change was also aimed at limiting African migrants' access to the labour market to impede their stay in the country.

According to Israel's Population and Immigration Authority, the number of foreign and seasonal workers is over 105,000, of which about 18,000 work illegally. The main origin countries are the Philippines, India, Moldova, Sri Lanka (all four mostly involved in caregiving), Thailand (agriculture), and China (construction). Housing development and ambitious infrastructure plans in Israel have stimulated the demand for construction workers. Seasonal employees play a significant role in the problematic Israeli agriculture sector. The aging population has generated the development of the caregiving sector, which employs the largest number of foreign workers (about 49,000). It is estimated that by 2025, one in five elderly people in

Israel will be supported by a foreign caretaker. At the same time, the number of foreign specialists employed by the Israeli high-tech sector is growing.

Impact on Politics. Issues related to migration from Africa has become one of the main topics for the Israeli public and politicians. The government views mass-migration as a threat to the Jewish character of the state and to national security. African asylum-seekers were seen as economic migrants, and only since 2013 have they been allowed to submit individual asylum applications. Refugee status has been granted to individuals, and several hundred people have received a different form of protection and consent to stay. The main problems are the protracted procedures and the weakness of the bureaucracy. An important role is played by the Supreme Court in Israel, which in Israel serves as the constitutional court. Its rulings limit the possibility to deport migrants as well as their stay in detention centres. The court's decisions have been met with harsh criticism from the government coalition and constituted a pretext for submitting a draft law enabling parliament to re-enact laws declared unconstitutional. The issue of African migrants has further divided Israeli society (most favour their relocation to other countries) and has exacerbated the conflict between the government and NGOs.

The level of the tension was revealed in April when Netanyahu announced the signing of an agreement with the UN High Commissioner for Refugees. The agreement proposed the relocation of about 16,000 migrants (e.g., to Europe) and legalising the stay in Israel of others. It was met with fierce opposition from members of the coalition and part of the electorate (according to polls, 47% of respondents reject the agreement). The potential host countries (e.g., Italy) did not acknowledge participation in the deal. Netanyahu then withdrew from the agreement, accusing NGOs and EU countries of hostile pressure. Israeli migration policy could result in image problems in the international arena, in particular in its intensively developed relations with sub-Saharan Africa.¹ Uganda and Rwanda officially denied the existence of migrant admission agreements with Israel, although unofficial cooperation still occurs.

Diplomatic action has been pursued to secure a more controlled inflow of foreign workers and fight possible exploitation. In recent years, Israel signed bilateral agreements that specify workforce quotas, limit the role of intermediaries, and guarantee an improvement in working conditions. These intergovernmental agreements were concluded with China, Bulgaria, Moldova (concerning construction), Thailand (agriculture), and others. Agreements covering the care sector have been negotiated with Nepal and some other countries. The demand for labour in sectors that are priorities for the government may induce Israeli concessions in bilateral relations. For example, Chinese workers are exempt from work in the West Bank, where if they were working could have been viewed as support by China of Jewish settlement policy.

A new phenomenon is the increase in irregular labour migration from Eastern Europe, primarily from Ukraine and Georgia. The abolition of the visa requirement and the weakness of the Israeli asylum system (including the failure to enforce the work ban) has made it possible for citizens of these countries, while seeking asylum, to secure their stay and to enter the job market. The number of applications for protection submitted by people from Eastern Europe amounted to more than 20,000 in 2013-2017, constituting an additional burden on the Israeli asylum system. Israel has sought help from Ukraine and Georgia to limit this phenomenon, such as declaring both countries as safe states, rendering asylum claims null.

Perspectives. Although the migration pressure has largely been relieved, the issue of migration still will be used by Israel to shape both domestic and foreign policy. The presence of foreign employees enables a reduction in the number of work permits for Palestinians and thus puts economic pressure on the Palestinian Authority while also increasing the scope of Israeli cooperation with Asian and Eastern European states.

Since the majority of the Israeli political scene and public oppose these migrants remaining in Israel, the issue of African migrants especially will be used to mobilise political supporters, especially if there is an early election. Some of the indirect results of the tensions surrounding this issue may be the exacerbation of the dispute between Netanyahu's government and NGOs and international organisations supporting the migrants and asylum-seekers, and if the draft law limiting the actions of the Supreme Court is introducing, also the disruption of the democratic separation of powers.

Migration is an issue that can foster deeper relations between the EU and Israel. One prospective area for cooperation is in stemming the root causes of migration in Africa, such as climate change and development inequality. An appropriate platform for presenting common political initiatives could be the UN negotiations on the Global Compact for Migration,² in which Israel also participates. At the same time, the EU should send a clear message that the priority of this cooperation remains compliance with international standards in the field of human rights. The politically motivated rhetoric of the Israeli authorities, for example, providing inaccurate information about the acceptance by European countries of asylum-seekers from Israel, may have a negative impact on this cooperation.

¹ M. Wojnarowicz, "Sub-Saharan Africa in Israel's Foreign Policy," *PISM Bulletin*, No. 113 (1053), 20 November 2017.

² P. Kugiel, "Prospects for the Global Compact for Migration," *PISM Bulletin*, No. 61 (1132), 24 April 2018.