

October 22, 2012



**Open letter to Israeli Prime Minister Benjamin Netanyahu
and Israel ministry of the interior Eli Yishai;
Regarding the serious concerns involving the status, detentions and living
conditions of the Ethiopian refugees now living in Israel.**

Prime Minister's Office
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“Once I have witnessed the redemption of the Jews, my people, I wish to assist in the redemption of the Africans.”

Written in 1902 by Theodor Herzl, the father of modern political Zionism

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Dear **Prime Minister Netanyahu,**

As the executive director of the **Solidarity Movement for a New Ethiopia (SMNE)**,^a a social justice movement of diverse Ethiopians seeking to advance truth, freedom, justice, equality, respect for human rights, reconciliation, security and prosperity in Ethiopia, **I am writing you regarding our serious concerns involving the status, detentions and living conditions of the 2,500 to 3,000 Ethiopian refugees now living in Israel.**

As you know, both the government of Israel and the African refugee living within Israel have reached a complicated and difficult impasse with no simple solutions to a growing refugee problem; yet, **we believe that Israel’s newly instituted solution to cope with these refugees is not only short-sighted and harsh, but also ethically and morally wrong. Instead, we hold that a more humane policy could be found to address the very real challenges of both refugees who are genuinely seeking a temporary safe haven and the state of Israel which is not ready to meet the real needs of so many persons.**

Contrary to the general tone of the law, in most cases, Ethiopians refugees living in Israel have legitimate asylum cases and are there legally as the Ministry of the Interior has reportedly issued most asylum seekers a conditional release visa. This means they are not simply **“work infiltrators.”** *According to the 2012 report from Freedom House,¹ Ethiopia was second on the list of all countries for experiencing the greatest decline in freedom over the past two years. The 2011 Legatum Prosperity Index showed Ethiopia to at the very bottom of their list as the most “un-free” country among the 110 countries studied.¹*

Moreover, we believe the proposed enactment of stringent detention or deportation policies, under the Anti-Infiltration Law and its amendments, **which includes asylum seekers, is unjustifiable in view of the widespread human rights violations in many neighboring countries, including Ethiopia, and will undoubtedly place many of these refugees in harm’s way. Some, if not many, will not survive. Furthermore, according to UNHCR, only 1% of asylum requests are finally accepted.** Acceptance does not mean permanent residence or citizenship in Israel. **What many of these refugees need is temporary shelter until safety and security are restored in their countries; not draconian policies that would criminalize asylum seeking, leading to long-term detention.**

We contend that the enactment of the Anti-Infiltrator law and its amendments fail to fulfill the obligations of the international Refugee Convention, of which Israel is a signatory, and may violate the soul and conscience of a nation of people who in the past and present have experienced their own persecution, threats to their survival and the need to seek the goodwill of other nations in providing safe refuge to them.

Request

In light of this, and on behalf of these Ethiopian refugees, the SMNE respectfully calls on the Government of Israel, the Ministry of the Interior, the Knesset and other people and bodies associated with the implementation of the Anti-Infiltration Law and its amendments, to consider its revision. In particular, we would for the protection of asylum seekers from the application of this law. We also respectfully call on you to cease disclaiming the cases of these asylum-seekers as being without cause until there is a well-developed asylum process in place, free of bias, with all deficiencies corrected and until authorities possess accurate and up-to-date facts about the state of repression in Ethiopia, so as to fairly evaluate the claims of these African Refugees without discrimination. The present acceptance of only 1% of all asylum claims[#] calls into question the entire process; something that is very disturbing in light of the very real threats many of these refugees will face at home.

Anti-Infiltration Laws Target Africans and Breach Refugee Rights

With the October 15, 2012 crackdown on asylum seekers through the enactment of the Anti-Infiltrator law, the Ministry of the Interior (MOI) and their representative security forces will be allowed to either detain or deport “infiltrators,” defined in the bill to mean those foreign persons who lack any recognized legal status. Harsh penalties—up to three years in detention without trial or indefinitely if citizens of “enemy” states such as Sudan—can be imposed on any suspected violators.”

According to **Hotline for Migrant Workers**, an advocacy group located in Tel Aviv, they write in their August 2012 publication, “Legislation Targeting Asylum Seekers in Israel 2012”, **“These measures reflect the false claims that the African asylum seekers are not refugees running for their lives and freedom, but rather ‘work infiltrators’, as repeatedly stated by Israeli government officials.”** Amendments to the law will criminalize Israeli citizens who employ asylum seekers, but will eventually will also criminalize both Israelis – with fines and imprisonment in some cases—who shelter or transport asylum seekers or who assist them in sending money to family or others abroad. Africans, who are certainly a more easily identified group within Israel, will be easily targeted

Few Ethiopians, if any, have received asylum in Israel or have been able to go through a thorough process of determination to separate true asylum seekers from illicit workers and the bias is that none of them are refugees, an absurd assumption in light of the rampant human rights violations in Ethiopia and the lack of freedom, justice and freedom of expression. This is backed up with data. **According to the United Nations High Commissioner of Refugees (UNHCR), in the entire year of 2011, Israel only approved one out of 46,000 or more requests for asylum and only 190 since Israel signed the 1951 Convention in 1954, “ leaving the majority of asylum seekers without work permits and forced to seek illegal work if they are to survive.”**

Now this law has gone into effect despite the impossible odds that any legitimate asylum seekers will ever obtain refugee protection in Israel. The extreme psychological distress of these Ethiopians is what has compelled us to write this letter; however, these Ethiopians are not alone in their plight, but are part of a large number of African refugees—with many originating from the troubled Horn of Africa—who have sought protection from their own oppressive governments like in the case of Eritreans or Sudanese or safety from violent conflict within their countries like in Somalia and parts of Southern Sudan, with 85% of the 60,000 refugees coming from Eritrea or Sudan.

According to UNHCR’s July 2012 report on Israel, they also express concerns that this law will be enacted before there is an adequate asylum process. They indicate in their report: **UNHCR is also concerned regarding the current functioning of the asylum system in Israel. With a recognition rate below 1%, eligibility practices appear to be too restrictive... it is clear that further efforts are required to develop capacity and to consolidate the procedural framework guiding this important process. The lack of adequate capacity makes it difficult, for example, to promptly and fairly process asylum claims. A significant number of applicants have to wait several months or longer, some while in detention, to have their claims reviewed. Moreover, the accelerated processing model in use in Israel lacks necessary procedural safeguards, including adequate access to the appeal process. In UNHCR’s opinion, such deficiencies are likely to impact the quality and fairness of decisions rendered for such claims.”**

The UNHCR also notes that persons of African descent will be more vulnerable than others. **“UNHCR has expressed serious concern prior to and with the approval of the Law for the Prevention of Infiltration. Applied to asylum-seekers, it could constitute a breach of the rights and obligations of the Government, as stipulated in the 1951 Convention, of which Israel was a founding signatory. Of particular concern is the long term detention to which asylum seekers are subjected; a minimum of 3 years according to the law. The application of the law could be considered discriminatory, in contravention of other international obligations under the ICCPR and ICERD6, as it will apply almost solely to persons of African descent in practice. Additionally, UNHCR is concerned that the law also applies to children and other persons with specific protection needs.”**

Ethiopian Refugees in Detention Centers

Unofficial sources estimate that there are between four and five hundred Ethiopians in various detention centers within Israel; some for over three years. This number includes minor children. Here are some facts:

In **Givon Prison**, located near the city of Ramla are the following:

- There are 8 male and 13 female prisoners as well as 2 who are reported as being Eritrean. Out of these 23 prisoners, 10 are underage (13 - 16 years).
- Among these prisoners are women who have been detained there for more than a year and six months; among the male prisoners it is reported that the maximum prison time is 3 years and 2 months. The average prison time of those underage prisoners (13 - 18 years) is 7 months.

In **Saharonim Detention Centre** (also “Saaronim”) close to the border with Egypt there are approximately:

- 200 - 300 male prisoners; among these male prisoners, the longest prison time is 2 years and 2 months
- Among the 123 female prisoners, the longest prison time is 2 years. There is some credible information about infant prisoners with their mothers.

In **Matan, a juvenile detention facility, located near Hadera**

- We have been unable to get information about countless prisoners.

In seeking meaningful answers to this current dilemma, no one expects Israel to “go it alone,” but yet, Israel, a nation called to be “repairers, healers and restorers,” - “tikkun olam”— might be in a position to play an important role in working together with Africans themselves and other concerned nations and organizations in finding humane, effective and durable solutions which could be mutually beneficial in the long-run if not much sooner.

Part of that approach should focus on the root of the problem—African dictatorships, such as in Ethiopia. It is the lack of freedom which causes countless Africans to leave their homes and families; taking great risks as they make their way to free countries where they are oftentimes not welcome. These are not criminals and most are not economic refugees trying to “infiltrate” Israeli society, but instead are political refugees seeking safety, security and freedom.

Most Ethiopians who leave the country do not do so easily but under great duress for they love their families, homes and country. In leaving, they encounter great risks along the way. Some do not survive; losing their lives in their attempt to find greater security. One of the least secure regions, the Sinai desert, has become a place to prey on these desperate refugees. We personally know Ethiopians whose family members have died on their way to Israel after traffickers removed their organs from them while still alive, leaving their bodies in the desert. Others were shot or enslaved in Bedouin camps where they are sometimes chained, tortured, raped or used as slave labor. Money for their release or to smuggle them into Israel is often extorted from relatives in exchange. If they reach the border, some are killed by Egyptian border patrols so those who finally reach Israel are those survivors who in some way have endured or eluded these perils.

For the last year or more, we in the SMNE have been following these issues closely through Ethiopians in Israel, many of whom have been traumatized before ever reaching Israel and now are affected by adverse living conditions, racial targeting, a nearly insurmountable asylum process and the real fear of being detained or deported back to Ethiopia where a brutal and repressive dictatorship—significantly worsened in the last few years—has made life unbearable for the majority and dangerous for some due to the widespread violence perpetrated against its own citizens.

Most refugees are now depressed and fearful of what could happen to them. If these people could have remained in their homes they would not have risked their lives this way. If they could return safely, they would not have to be threatened with detention or deportation to do so. These Ethiopians, who believe most of their asylum cases will be automatically denied, will be at risk if they are returned. **All will face loss of basic rights and freedom. All will be subject to targeted government monitoring at first. Some will likely encounter intimidation and harassment; and, still others will face human rights abuses, particularly if they refuse to join the official ruling party. Some will be at greater risk for simply being part of the wrong ethnic group.**

Why is a Free Ethiopia Immediately Strategic to Peace in the Middle East?

Ethiopia, and the entire Horn of Africa, is one of the most insecure regions in the world; located in a fragile geo-politically strategic area in Africa, near the Middle East and Asia as well as situated near to major shipping routes on the Red Sea and Indian Ocean where conflict and failed or failing states pose potential risks to the rest of the world. This risk includes the potential support and exploitation of oppressed persons from rogue states or radical groups near and far as oppressed people become increasingly vulnerable to radicalization by outside players, especially when more open and free countries have supported a government in Ethiopia that tyrannized its own people.

However, **we believe the greatest threat to stability in the region, including the Middle East and the Horn of Africa, comes from the weakened condition of the TPLF/EPRDF, as they struggle to reassert themselves “post-Meles.” We know there are internal power-conflicts within the TPLF or EPRDF that may undermine past alliances.** We also know that the millions of aggrieved Ethiopians see this as an opportunity of weakness to exploit. What will happen is unknown. **In light of this, the leadership of the TPLF, in control of the EPRDF for as long as it has been in existence, has already reached out to find new partnerships to help prevent it from losing its grip on the country.** Recently, this was demonstrated at a meeting on September 6, 2012 with Iranian Deputy Foreign Minister Amir Mansour Borqeyee where Ethiopian Deputy Prime Minister and Minister of Foreign Affairs, Berhane GebreKristos expressed Ethiopia’s positive desire to further economic and political ties with Iran. His overtures were met with enthusiasm by the Iranian deputy who expressed Iran’s interest in strengthening and expanding cooperation in solving regional and international issues.*

Wikileaks has also revealed information from 2008 of an admitted cooperative working relationship between North Korea and Ethiopia, particularly in regards to the provision of expertise in developing munitions within Ethiopia. In the Horn of Africa, Ethiopia is at its epicenter. Ethiopia also plays a significant role in the African Union. What happens in Ethiopia over the next weeks, months and years will affect the entire region—either positively or negatively.

In the past, the West has attempted to maintain stability by supporting this regime, but it has reached a tipping point where the regime is so repressive that the people can no longer tolerate it, which appears to be continuing under its new prime minister. Tensions are only increasing as the TPLF/EPRDF government promotes the leasing of large swathes of land to crony and foreign investors, displacing people who have lived in these regions for centuries. Ethiopia’s strongest democratic voices are imprisoned on terrorism charges. Violence is already breaking out in some of these more remote areas which could easily escalate.

What is needed is a viable alternative; yet, the regime continues to effectively control all political space and has silenced the opposition. Those fleeing the country are exactly those Ethiopia needs to bring about a free, stable and democratic state, but for now, life in Ethiopia is too dangerous and unpredictable for many until there are greater human rights protections, the restoration of some semblance of the rule of law and meaningful reforms.

“For the Sake of the World” (mip'nei tikkun ha-olam)

We in the SMNE are working to create a “New Ethiopia” where diverse Ethiopians will find a home where they can live and flourish, where streams of refugees out of the country will cease and where those scattered among the nations will want to return, without deportation, like the Jews to their homeland of Israel. Because of your own suffering, you may better understand the present-day world of many of these refugees who are unwanted in their own homeland, driving them to seek a temporary place of safety, but find they are also unwanted there.

The people of Israel know about the great suffering that comes from being unwanted in foreign lands, even those in which they had been born and raised. It led to the Holocaust, an evil that became the darkest of stains on humanity; however, many do not realize that Ethiopians were also the innocent victims of the same evil system that dehumanized them along with many others. One man typifies the common thread between what happened to the Jews and what happened to Ethiopians. That man is Rodolfo Graziano, the defense minister under Mussolini's fascist regime.

In 1937, Rodolfo Graziano carried out a massacre of Ethiopians, killing 30,000 persons in three days and 1,000,000 other Ethiopians throughout the duration of their invasion of Ethiopia, earning him the nickname as the **“Butcher of Ethiopia.”** One of his officials incited the killing saying, **“Comrades, today is the day when we should show our devotion to our Viceroy by reacting and destroying the Ethiopians for three days. For three days I give you carte blanche to destroy and kill and do what you want to the Ethiopians.”** In 1938, Graziano signed anti-Semitic laws leading to the deportation of 7,000 Italian Jews to German concentration camps where nearly 6,000 of them died.

The world is ashamed of what was done to the Jew during the Holocaust. The Germans have apologized and given compensation and the Vatican has apologized, but in terms of Ethiopia, few even know of the systematic mass extermination campaign where chemical warfare and poisonous gases were used to kill great numbers of people. World leaders could have stopped the rise of Hitler Mussolini early on, like could have been done with Hitler, but another great stain on history was when the League of Nations caved in to self-interest and betrayed one of its co-signers it pledged to protect—Ethiopia—when Mussolini invaded Ethiopia.

Ethiopians suffered so much but it has never acknowledged. Now their grandchildren are the ones suffering at the hands of their own government but they are finding nowhere to go to escape it. This is not about infiltrators or illicit workers but it is about human beings—our sons, daughters, sisters, fathers and mothers.

Recently, a memorial was erected in Italy to honor Rodolpho Graziano. Public funds were used and the Vatican sent a representative to attend its opening in August 2012 in blatant disregard for his horrific crimes against humanity. **Both Jews and Ethiopians are outraged with the glorification of a war criminal and the glossing over of such egregious crimes; yet unfortunately, this bears marked similarity to the elevated position and millions of dollars of aid money that the late Prime Minister Meles Zenawi and his regime enjoyed within international circles as a member of the G-20 and other prestigious meetings and groups.**

As he conversed with international “notables,” who was willing to listen to the voice of the common Ethiopian, trying to tell the world that this man was a dictator whose TPLF/ERPFD regime, still in power, was terrorizing Ethiopian citizens at home? Such unearned privilege perpetuated the peoples' suffering while undermining their peoples' witness to the regime's brutality. **Such acceptance from the international community has profoundly compounded the plight of the stream of Ethiopian refugees in places like Israel and beyond, as they seek safe haven outside their homeland.**

We do not blame Israel for reacting to what has become an overwhelming and seemingly insurmountable challenge of absorbing such a large influx of refugees in such a small country; however, **what we ask for is a temporary arrangement until refugees can return. Use your diplomatic efforts to support those Ethiopians who are working to create a government where there is freedom and democracy. It will bring greater stability to the region. We know the real way out is not with Israel or some other country of refuge but instead it is to build a country where there is a government that respects the rights of its people; where its leaders our accountable to its citizens; and a homeland where the people can live and flourish.**

We in the SMNE strongly believe that the future well being of our global society rests in the hands of those among us who can put **“humanity before ethnicity,”** or any other distinctions that divide and dehumanize other human beings from ourselves; inspiring us to care about these **“others;”** not only because of the intrinsic God-given value of each life, but also because **“none of us will be free until all are free.”** In other words, what kind of perpetual disharmony will demean and consume the lives of all of us if we fail as human beings to seek justice and mercy for others while only preserving it for ourselves? Our worldview of **“our neighbor”** or more broadly, of **“others,”** will either repair or destroy, heal or wound, liberate or enslave. We have a choice.

Within Ethiopia and Africa, tribalism, meant to protect, nurture and enhance lives in communities, has too often been distorted and perverted into a destructive source of ethnic-based hatred, division, apathy, exploitation, cronyism and cyclical violence and killing; all made possible through the dehumanization of human beings and our failure to see the face of our Creator in others.

As Jonathan Haidt concludes at the end of his acclaimed book, *The Righteous Mind: Why Good People Are Divided by Politics and Religion*,¹ he says, “We may spend most of our waking hours advancing our own interests, but we all have the capacity to transcend self-interest and become simply a part of a whole. It’s not just a capacity; it’s the portal to many of life’s most cherished experiences.”

Today, Israel is looking at a portal through which they can choose to transcend fear, the dehumanization of the “infiltrators” and the too convenient reduction of all refugee cases into bogus claims in order to protect the Jewish state but is this what it means to live in our world now; and, will it really work? Jews, who have suffered so much, have also been called to be a light and a blessing to the nations.

The infliction of injustice, persecution, dehumanization and atrocities, especially when based on ethnicity, religion, political view or nationality—are deplorable; wounding bodies and hearts, but such experiences can also harden the hearts of its victims into stone and the cycle of pain is passed on. It is only a heart of flesh that can see the humanity in another and act righteously toward that “other.” Only hearts of mercy and compassion will compel us to move through that portal to discover some of “life’s most cherished experiences” that transcend self and honor our Sovereign God.

You can count on us in the SMNE to help you in any way we can to mediate or assist you in resolving this difficult issue, including sending a delegation to Israel.

May we work together to bring about a world where love and mercy reign, for the sake of the world!

Sincerely yours,



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Cc: Designated Israel Government Ministries Recipients
The Office of the President
Ministry of Foreign Affairs
Ministry of Justice
The Knesset (Parliament)

Association for Civil Rights in Israel (ACRI)
The Hotline for Migrant Workers (HMW),

Cc: Israel Newspapers and News Media - National and Foreign
Arutz Sheva
Israel News Agency
Jerusalem Newswire
Israel News Now
Globes
Haaretz
Jerusalem Post
Hatzofe

BBC
The New York Times
Guardian UK- News Desk and Editor

¹ Golda Meir, My Life, (NY: Dell Publishing Co., 1975), pp. 308-309; from The Evolution of Israel’s Africa Policy by Mitchell G. Bard <http://www.jewishvirtuallibrary.org/jsource/Politics/africa.html>

ⁱⁱ Please see our website: www.solidaritymovement.org The SMNE has branches in the United States, Canada and the United Kingdom and chapters in various cities and countries, throughout the world, including within Ethiopia and in Israel.

ⁱⁱⁱ *ibid*

^{iv} <http://www.hotline.org.il/english/pdf/HotlineReport080812LegislationEng.pdf> ; Legislation Targeting Asylum Seekers in Israel in 2012, Hotline for Migrant Workers, Sigal Rozen, Public Policy coordinator

^v <http://www.hotline.org.il/english/pdf/HotlineReport080812LegislationEng.pdf>

^{vi} ACRI 2010, p. 4; IRIN 2010; from <http://www.globaldetentionproject.org/countries/middle-east/israel/introduction.html>, p. 8

^{vii} <http://www.ajc.org/site/apps/nlnet/content2.aspx?c=ijITI2PHKoG&b=6161209&ct=11775665> ; Illicit Migration—A wakeup call Israel must heed, by Ed Rettig, May 30, 2012

^{viii} <http://www.unhcr.org/cgi>

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^{ix} *ibid*

^x <http://english.farsnews.com/newstext.php?nn=9106062034> ; Iran Eager to Further Develop Ties with Ethiopia, Sept 6, 2012

^{xi} <http://ecadforum.com/blog1/condemnation-of-italian-memorial-to-war-criminal/> Ethiopians Outraged by Monument to Notorious War Criminal

^{xii} *The Righteous Mind: Why Good People Are Divided by Politics and Religion*, by Jonathan Haidt, p.317; Pantheon Books, 2012