Israel: The treatment of immigrants from the former Soviet Union; response of government authorities, including the Office of the Ombudsman; response of non-governmental organizations (NGOs)

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Background

According to the Israel Religious Action Center (IRAC), an organization that "uses litigation, legislation, public policy and advocacy to advance civic equality" in Israel (n.d.a), there are over one million immigrants from the former Soviet Union (FSU) who have become Israeli citizens since 1989 (IRAC n.d.b). Several sources report that roughly three hundred thousand of these FSU immigrants are not considered Jewish according to Jewish law (halacha) (IRAC n.d.b; NIF 18 Feb. 2009; US 26 Oct. 2009, Sec. 1; see also JTA 17 Sept. 2009). Israel's Law of Return states that a Jew is "a person who was born of a Jewish mother or has become converted to Judaism and who is not a member of another religion" (5 July 1950, Sec. 4b). Under the Law of Return, the right to return to Israel is given to every Jew, including the child of a Jew, the grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew, the spouse of a grandchild of a Jew but not "a person who has been a Jew and has voluntarily changed his religion" (5 July 1950, Sec. 4a).

Treatment

In correspondence with the Research Directorate, a professor specializing in immigration and social integration at the Ruppin Academic Center in Israel stated that immigrants from the FSU are officially welcome but that public sentiment is "more reserved and mixed" (9 Feb. 2010). In an article describing a conference on issues related to racism and FSU immigrants held at the Hebrew University in December 2009, the director of a project which assists FSU immigrants stated that the FSU "community has made great strides in integrating into Israeli society but severe problems persist, not in the least related to racist and prejudiced attitudes" (NIF 6 Jan. 2010). The same article explains that the conference examined "racial prejudices directed at and originating in Israel's FSU immigrant community" (ibid.). A 2009 survey conducted by the Israel Democracy Institute (IDI), a non-partisan organization focused on Israeli democracy and governance, provides the following information:

A persistent tension prevails in Israel concerning the Jewish and the national dimensions of the concept of "Jewishness," and Jewish old-timers do not always welcome the secular Jewish identity of most of the immigrants. Sixty-eight percent of Jewish old-timers think that "the Jewishness of most FSU immigrants is questionable"; 69% of the respondents also object to a family member marrying a non-Jewish FSU immigrant. (2009, 97)

According to the United States (US) Department of State and the New Israel Fund (NIF), a funding organization established in 1979 that focuses on "social justice and equality for all Israelis" (NIF n.d.a), legally recognized Jewish marriages in Israel can only be performed by the Orthodox Jewish establishment (US 26 Oct.
2009, Sec. 2; NIF 18 Feb. 2009). The US Department of State notes that the government of Israel does not permit civil marriages (26 Oct. 2009, Sec. 2). As a result, FSU immigrants who are not Jewish according to halacha are not entitled to a legally recognized marriage in Israel (NIF 18 Feb. 2009; IRAC n.d.b). According to the US Department of State, "[c]ivil marriages, non-Orthodox marriages of Jews, or interfaith marriages must take place abroad in order to be recognized by the Government" (26 Oct. 2009, Sec. 2). Furthermore, FSU immigrants who are not halachically Jewish may not be buried in Jewish cemeteries (US 26 Oct. 2009, Sec. 2; NIF 19 Nov. 2008).

The Jewish Telegraphic Agency (JTA) and IRAC state that some FSU immigrants have undergone conversion to Orthodox Judaism in order to solve problems of Jewish status (JTA 17 Sept. 2009; IRAC n.d.b). However, the JTA describes the conversion process as "long and rigorous" (17 Sept. 2009; see also IDI 2009, 98). According to non-governmental sources, in 2008, the Orthodox Jewish establishment revoked thousands of conversions often because the converts were not practising Orthodox Judaism (NIF 19 Nov. 2008; IRAC n.d.b). The NIF also states that, since a Supreme Court ruling in 2005, the Conservative and Reform establishments are permitted to perform conversions and that roughly three hundred Israelis are converted annually and registered as Jews by the Ministry of Interior (19 Nov. 2008).

A representative of the Jewish Agency for Israel, a non-governmental organization (2 Feb. 2010) that aims to bring Jewish people to Israel and assist with their integration (Jewish Agency n.d.), stated in correspondence with the Research Directorate that when immigrants from the former Soviet Union (FSU) arrive in Israel, they are placed in absorption centres with other newcomers and may study Hebrew (ibid. 2 Feb. 2010). The Jewish Agency Representative stated that FSU immigrants can also be placed in "community absorption," which means that immigrants are placed in communities that are designated for newcomers (ibid.).

**Government response**

The website of the Israel Knesset states that the Committee for Immigration, Absorption and Diaspora Affairs addresses, among other issues, immigration and absorption in Israel (n.d.). In correspondence with the Research Directorate, the Ruppin Academic Center Professor stated that the Ministry of Immigrant Absorption allocates significant resources to issues related to FSU immigrants (9 Feb. 2010).

According to the website of the Office of the State Comptroller and Ombudsman of Israel, the State Comptroller also performs the function of Ombudsman (26 Mar. 2002). In correspondence with the Research Directorate, an official from the Office of the State Comptroller and Ombudsman of Israel provided the following information regarding immigrants from the FSU:

> [T]he Ombudsman of Israel has no specialized role and/or complaints procedure directed toward immigrants from the former Soviet Union, but rather treats them as any other complainants, without regard to background, age, religion or ethnic group. That said, the Ombudsman's Office has gone out of its way in order to enhance the access of immigrants to our services. New bureaus of the Office were opened in peripheral areas in the north and the south of the country, where many immigrants reside. Another such bureau is set to open this year in a former development town in the centre of the country, which will service, among others, a large immigrant population.

The Ombudsman's Office also hired new professional advocates from within the immigrant communities (both from the FSU and from Ethiopia) who speak their languages and have unique insight into their problems and needs. In this way, we are able to accept and deal with complaints and enquiries from such immigrants who would rather turn to us in their own language, instead of Hebrew, Arabic or English.

The result has been the receipt of a plethora of complaints from the immigrant community, concerning all manner of issues: for example, complaints concerning the level of support received through the Ministry of Absorption, education issues, complaints regarding exemptions/discounts from local taxes, enquiries about welfare and veteran's benefits, etc. All complaints are dealt with in an equitable and timely manner. (Israel 24 Feb. 2010)

**NGO response**

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The Ruppin Academic Center Professor indicated that there are many NGOs focused on helping FSU immigrants (9 Feb. 2010). In a 15 May 2007 article, SHATIL, an organization that is part of the NIF and provides support to non-profit organizations and projects (NIF n.d.b), describes a Russian-language hotline based at a SHATIL office which assists FSU immigrants with various social problems. The founder of the hotline describes immigrants from the FSU as "a bit cut off from Israeli society and especially from civil society organizations" (NIF 15 May 2007).

In an undated article on its website, IRAC provides the following information regarding its Legal Aid Center:

IRAC’s Legal Aid Center for Olim provides pro-bono legal assistance to immigrants from the FSU. The majority of cases involve difficulties with the Ministry of the Interior, and include: proving Jewish status and conversions, as well as helping to support the immigrant’s right to family.

IRAC has handled several cases of revocation of citizenship.... A new law has been passed in Israel that requires court approval in order to revoke citizenship of an individual who has been a citizen for more than two years. However, there is still a responsibility to ensure that these immigrants are guaranteed a proper hearing and the complete criteria for their case so they are fully able to defend their citizenship.

LACO also works with these immigrants to bring children from previous marriages and/or senior parents to Israel. These children and parents do not qualify for citizenship under the Right of Return and therefore are not welcome by the State of Israel. There are many cases of interfaith families (married outside of Israel) where the non-Jewish spouse does not have equal rights. On a case-by-case basis, IRAC works to ensure equal rights for these families. (n.d.b)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References


Jewish Agency for Israel. 2 February 2010. Correspondence with a representative.


Professor, Ruppin Academic Center, Israel. 9 February 2010. Correspondence with the Research Directorate.


Additional Sources Consulted

**Oral sources:** Attempts to contact representatives of the American Jewish Joint Distribution Committee (JDC), Israel Religious Action Center (IRAC), Israeli Association for Immigrant Children, New Israel Fund (NIF) and One to One Children’s Fund were unsuccessful. The Knesset Committee for Immigration, Absorption and Diaspora Affairs was unable to provide information.

**Internet sites, including:** American Jewish Joint Distribution Committee (JDC), Amnesty International (AI), British Broadcasting Corporation (BBC), Haaretz [Tel Aviv], Freedom House, Human Rights Watch, Kav LaOved, Metropolis International, Ministry of Foreign Affairs, Ministry of Immigrant Absorption, Myers-JDC-Brookdale Institute.
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