



RESPONSES TO INFORMATION REQUESTS (RIRs)

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The Board		9 March 2007
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Biographies		
Organization Chart	Israel: Reports of discrimination against immigrants from the former Soviet Union and response of government authorities and non-governmental organizations (NGOs); role of the Ombudsman's Office (2006)	
Employment		
Legal and Policy		
References	Research Directorate, Immigration and Refugee Board of Canada, Ottawa	
Publications	Reports of discrimination against immigrants from the former Soviet Union (FSU) were scarce among the sources consulted by the Research Directorate, and statistics related to any alleged discrimination based on place of birth could not be found within the time constraints of this response.	
Tribunal		
Refugee Protection Division		
Immigration Division	Situation	
Immigration Appeal Division	It is estimated that there are some one million immigrants from the former Soviet Union (FSU) living in Israel (NIF n.d.a; Reuters 18 Dec. 2005; AFP 17 Mar. 2006; <i>The Jerusalem Post</i> 11 May 2005). Among these immigrants, there are approximately 300,000 people who, according to the Orthodox religious authorities, are not Jewish under Jewish law (ibid.; ibid. 24 Oct. 2006; NIF n.d.a). According to Elazar Leshem, a professor of social work at the Hebrew University of Jerusalem who has studied Russian gentiles in Israel,	
Decisions		
Forms		
Statistics		
Research		
Research Program	Russian immigrants see Judaism as a nationality, not a religion. In Russia they were seen as Jews, they were mistreated as Jews, they suffered as Jews. It's only when they come to Israel that they discover that they're not Jews, they're Russians. (<i>The Jerusalem Post</i> 11 May 2005)	
National Documentation Packages		
Issue Papers and Country Fact Sheets	Immigrants from the FSU reportedly remain poorer than average Israelis, often living in municipalities with high unemployment, and fewer are able to obtain "top jobs" (<i>New Statesman</i> 31 Oct. 2005). According to a study highlighted in <i>The Jerusalem Post</i> , immigrants from Eastern Europe are five times more likely to eventually leave Israel because of the unemployment rate and the cost of living (26 Oct. 2006).	
Responses to Information Requests		
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News	According to the American Jewish Joint Distribution Committee (JDC), Jewish immigrants from the Caucasus Mountain region of the FSU (<i>Kavkazim</i>) constitute a "vulnerable community" in Israel (JDC n.d.b). Among the challenges faced by the 80,000-strong community are language difficulties (nearly half of adults cannot write in Hebrew), unemployment (affecting half the <i>Kavkazi</i> population) and widespread poverty (ibid. n.d.a).	
Information Sheets		
Media Relations		
Proactive Disclosure		

Reports of alleged discrimination

An uncorroborated study conducted by the Mutagim Institute, an Israeli polling firm, indicates that the crime rate among Russophones in Israel is 2 to 2.5 percent lower than the Israeli average (*New Statesman* 31 Oct. 2005). However, the late Russian-born member of parliament, Yuri Shtern (*The Jerusalem Post* 16 Jan. 2007), a member of the pro-Russian Israel Beitenu party (*ibid.*; BBC 30 Mar. 2006), alleged that "the police and courts still treat [the Russians] with bias" (*New Statesman* 31 Oct. 2005), though Shtern's comments could not be corroborated by the sources consulted by the Research Directorate within time constraints.

In November 2005, the Association for Civil Rights in Israel (ACRI) filed a claim in the Tel Aviv Labor Court on behalf of five security workers, originally from the FSU, because they claimed "wide-scale infringements of their employment rights, including: payment for overtime, sick days, holidays, transportation, and personal pension fund membership" (2005, 4).

Haaretz reported on an August 2006 case in which a citizen of Moldova was arrested by Israeli authorities as an illegal resident, despite having a Jewish mother and papers to prove that she was Jewish (9 Nov. 2006). During the decade that she waited for government officials to process her application for Israeli citizenship, the woman claims she could not work legally and had limited access to insurance and healthcare benefits (*Haaretz* 9 Nov. 2006). According to *Haaretz*, the government suspects that her Jewish identity is fraudulent, but she was released on bail in October 2006 (*ibid.*). Further or corroborating information on this case could not be found among the sources consulted by the Research Directorate within time constraints.

An 11 May 2005 article appearing in *The Jerusalem Post* examines the situation of non-Jewish immigrants. Citing Professor Leshem, the article states that "[non-Jews] face no discrimination in housing or employment, only in matters touching on their religious identity" (*The Jerusalem Post* 11 May 2005). *The Jerusalem Post* further indicates that, on the whole, many halachic gentiles (persons who do not have a Jewish mother or who did not convert to Judaism according to Orthodox standards) "don't encounter much difficulty" (*ibid.*).

According to the article, some gentile Russian immigrants report having experienced discriminatory statements from neighbours and in the army due to the fact that they are not Jewish (*ibid.*). At the same time, there is reportedly a widespread notion among many in the Israeli public that many gentile immigrants have only tenuous ties to Judaism and the Jewish state, a notion that is challenged by a spokesperson for Nativ, an agency responsible for policy toward Eastern European Jewry, who told *The Jerusalem Post* that "[e]xcept for a few percent, all of them had Jewish fathers" (*ibid.*). While surveys reportedly show that halachically gentile immigrants "feel a somewhat weaker connection to Israel, and are less committed to staying permanently than halachically Jewish immigrants," a large majority have a strong Israeli identity (*ibid.*).

Since marriages involving Jews are administered by the Orthodox rabbinic establishment, non-Jews are forbidden from marrying Jews, which is problematic for many of Israel's 300,000 non-Jewish immigrants from the FSU (however, marriages between two non-Jews fall outside the jurisdiction of the rabbinate) (*ibid.* 24 Oct. 2006). Nevertheless, Israeli Jews may marry non-Jews by performing the wedding ceremony outside the country, such as in Cyprus (*ibid.* 11 May 2005).

Conversion to Judaism is a possible but challenging solution for many non-Jews from the FSU: conversion courses can last up to 15 months and converts are "ordinarily required to adopt an Orthodox lifestyle in order to be recognized as a Jew" (*ibid.*).

ACRI explains that the Jewish Law of Return extends to the non-Jewish grandchildren of Jews and their spouses, who may apply for Israeli citizenship, but

these immigrants' children will not automatically become citizens themselves (ACRI Dec. 2004). This can result in a situation where Israeli parents have children who are not citizens, although they may apply for residency status if they lived with their parents for at least two years before moving to Israel (ibid.). However, ACRI alleges that in some instances, the Ministry has undertaken "a policy of deliberate delays" in the processing of requests of minor applicants, who would become liable for deportation as "illegal residents" upon reaching 18 years of age (ibid.). This claim could not, however, be corroborated by the Research Directorate within time constraints.

Government and non-governmental response

Israel's Ministry of Immigrant Absorption offers a number of services to settle newly arrived immigrants through 26 different departments (Israel n.d.b). These departments include:

- The Employment Department, which manages guidance centres, courses, professional retraining programs in an attempt to place immigrants in jobs that match their educational backgrounds as much as possible (ibid., Sec. 2);
- The Housing Department, which allocates public housing and determines rental subsidies and mortgages (ibid., Sec. 3);
- The Community Absorption Department, which specializes in socio-cultural and linguistic integration, "while encouraging ethnic cultural expression and cultivation of community-based leadership" (ibid., Sec. 5).

The Ministry of Immigrant Absorption offers services in Russian (Israel n.d.b). However, *The Jerusalem Post* notes that there are twice as many organizations assisting Anglophone immigrants as assisting Russophone immigrants (26 Oct. 2006).

ACRI deals with complaints from Israelis who believe their human rights or civil liberties have been violated (2005, 18). In order to receive these complaints, ACRI operates a hotline available in Hebrew, Arabic and Russian (ACRI 2005, 18).

In order to address concerns of some non-Jewish immigrants from the FSU, the New Israel Fund (NIF), a philanthropic organization, states that it has helped "[p]ut civil marriage on the public agenda" and "achieved government funding of civil burial" (NIF n.d.a).

Religiously, the NIF has helped to fund pluralistic Jewish congregations to welcome Jews from the FSU as an alternative to synagogues under Orthodox auspices (NIF n.d.b).

Ombudsman

In 1971, the Office of the Ombudsman was created in order to "examine complaints against government offices, state institutions, local governments, and certain other bodies referred to by the State Comptroller's Law" (Israel 26 Mar. 2002), of which chapter seven provides a detailed description of the role and methodology of the Ombudsman's Office (ibid. 1958, Ch. 7). As a special unit within the State Comptroller's Office (ibid. 26 Mar. 2002), the Office of the Ombudsman investigates some 7,000 complaints on an annual basis "from every stratum of society," particularly from more vulnerable groups such as new immigrants, the poor, minorities, and seniors (ibid. 2005b). In 2002, the Ombudsman's Office indicated that investigations were conducted for more than half of complaints and more than 35 percent of all complaints were "found to be justified" (ibid. 26 Mar. 2002).

While the Ombudsman's Office does not maintain statistics on the number of

complaints by immigrants from the FSU, it keeps detailed data on the bodies or the subjects involved in various complaints (ibid. 2005a, 102). For example, in 2004, the Office resolved 32 complaints against the Ministry of Immigrant Absorption, of which 15 were investigated and 1 was found justified (Israel 2005a, 102). In 2004, the Office also resolved 34 complaints regarding immigrant housing: 22 of these complaints were investigated and 2 were found justified (ibid., 105).

According to the Office of the Ombudsman,

The Ombudsman is very accessible. Any person can file a complaint with the Ombudsman; a complaint may be written in any language, not necessarily in Hebrew. It is also possible to file a complaint via the internet or through one of the branch offices in Jerusalem, Tel Aviv and Haifa, and in the future also in Nazareth and Beer Sheva. The service provided by the Ombudsman is free of charge. (Israel 2005b)

An English version of a complaint form is available on the Web site of the Office of the State Comptroller and Ombudsman of Israel (ibid. n.d.a).

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 additional sources consulted in researching this Information Request.

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Oral sources, including: The Aid Fund for the Absorption of New Immigrants from the Soviet Union (Keren Klita) [Jerusalem], and the Israel Religious Action Center (Legal Advocacy Center for Olim) [Jerusalem] did not respond to requests for information within the time constraints of this Response.

Internet sites, including: Amnesty International (AI), British Broadcasting Corporation, (BBC), ecoinet, Freedom House, Human Rights Watch (HRW), Israel Religious Action Center (IRAC), Jewish Agency for Israel (JAFI) [New York], Kav La'Oved [Tel Aviv], United States Department of State.

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