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African Asylum Seekers in Israel: Between Jewish Historic Obligation and Political Zionist Militancy

By Barak Kalir

Since 2005, an estimated 60,000 asylum seekers from sub-Saharan Africa, mostly from Eritrea and Sudan, have entered Israel by crossing the border from Egypt. Escaping their countries, they arrived in Israel after a lengthy journey by land, mostly operated by smuggling networks of Bedouins. Although paying their smugglers thousands of dollars, many African asylum seekers are too poor to escape Israel, trapped in a slum in the city of Haifa, named for its mission, or even killed before they reach their destinations.

In Israel, the presence of African asylum seekers has become a major political issue in recent years. Although a majority of the 1991 UN Refugee Convention and its 1967 Optional Protocol, Israel systematically refuses to grant a refugee status to African asylum seekers. In fact, the Israeli government has been doing its utmost to reject the claims of asylum seekers under the pretense of being economic migrants. As the same time, in January 2015, Israel completed a multi-billion dollar project of erecting a border fence with Egypt to prevent the entry of more asylum seekers. Since the completion of the fence, the number of asylum seekers who manage to cross the border has plummeted from a few thousand per month to less than a hundred in the entire year of 2013.

As for those who managed to enter Israel, the government has vowed to expel them as soon as they settle by the National Security Ministry, the Ministry of Foreign Affairs, and the Ministry of the Interior. In such cases, asylum seekers receive no protection, are forced to live in的基本 refugee status as an "infiltrator." This term originated in the 1990s when armed Palestinian groups continued terror attacks from Egypt. In the early 2000s, the term infiltrator was adopted by the Israeli authorities. In 2015, a group of asylum seekers were forced to leave after being arrested by Israeli border police.

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Civil society activists have been relentlessly trying to challenge the Israeli asylum treatment of asylum seekers. NGOs, together with some academic scholars and private lawyers, carry the flag when it comes to fighting for asylum seekers' rights. In recent years, NGOs have been involved in public campaigns for raising awareness on the dramatic situation of asylum seekers through street demonstrations, newspaper articles, cultural events and public debates.

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The most striking recent trend in Israeli law is over the rights of asylum seekers and the way in which the Jewishness of the Israeli state has been used for warranting both opposing stands. In an attempt to generate humanization among politicians and to mobilize public opinion, Israeli civil society activists regularly evoke the Jewish history of persecution and the Holocaust in particular, as well as exposing Israeli society to the cruelty of the military government in the occupied territories. At the same time, many Israeli politicians repeatedly stress the Zionist ideational narrative that Zionism is the historical, cultural, and ethical driving force behind the Israeli state. As such, the state cannot be held accountable for uphold the rights of refugees and asylum seekers.

Since 2012, the antagonistic Israeli treatment of asylum seekers has reached new heights. Formally, the government passed the "Prevention of Infiltration Law" that allows for the administrative detention of up to five years for those who cross the border from Egypt. Publicly, several politicians have unleashed a verminous rhetorical attack against asylum seekers, referring to them as criminals, security risks, and, in the words of one MP from the ruling Likud party, Miki Regev, as "a cancer in our body." This belligerent approach has had the effect of an increasing number of arrests and raids in which Israeli citizens hold up African asylum seekers on the streets, either setting up shops and homes that are associated with asylum seekers, or at one point, even set fire with Molotov cocktails on asylum seeker's boats in the port of Haifa, which was functioning as a cache for asylum seekers' children.

Civil society activists have been relentlessly trying to challenge the Israeli asylum treatment of asylum seekers. NGOs, together with some academic scholars and private lawyers, carry the flag when it comes to fighting for an Israeli asylum policy that is in line with human rights standards and international conventions. For example, in 2015 several Israeli activists appealed to the Israeli High Court against the legality of the "Prevention of Infiltration Law," which was then revoked by the court as "unequitable" and in violation of Israel's Basic Law: Human Dignity and Freedom. In addition, NGOs have been mobilizing a

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