

UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES
Representation in Israel



האומות המאוחדות
הנציבות העליונה לפליטים
הנציגות בישראל

NATIONS UNIES
HAUT-COMMISSARIAT
POUR LES RÉFUGIÉS
Représentation en Israël

05 February 2018/HCR-13

Mr. Avichai Mandelblit
Attorney General
Ministry of Justice
Jerusalem

Prof. Shlomo Mor-Yosef
Director General
Population, Immigration and Border Authority
Ministry of Interior

Re: **Exemptions of certain groups from the forced relocation policy**

Dear Sirs,

Further to the announcement on the reactivation of the forced relocation policy by the Israeli Government on 1 January 2018, and further to the ongoing monitoring of the UNHCR Office in Kigali of the protection situation for asylum-seekers and refugees in that country, we would like to bring to your attention several groups we believe should be exempt from forced relocation to Rwanda.

Under the *Procedure on Relocation to the Third Countries* by the Population and Immigration Authority on 1 January 2018 (which was revised in 30 January 2018), only women, children, parents of dependent children and victims of slavery and trafficking would be exempt from forced relocation to a third country. The Procedure does not allow discretion to exclude individuals based on additional criteria such as health, age and other humanitarian considerations

We would like to draw your attention to the following vulnerable groups who, based on the information outlined in the note attached to this letter (*UNHCR Concerns regarding the Treatment of Vulnerable Asylum-Seekers in Rwanda*), would not find dignified living in Rwanda, in accordance with the Attorney-General's conditions, and should therefore not be subject to forced relocation:

1. Individuals with mental disabilities and disorders and victims of torture
2. Individuals requiring continuous medical treatment
3. Individuals with physical, sensorial and cognitive disabilities

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4. Elderly people
5. LGBTI individuals

We further urge you to consider exempting the following groups:

6. Young adults who came into Israel as minors and have benefitted from the Israeli education and welfare systems.
7. Men with wives and adult children in Israel. While the Procedure exempts women from forced relocation, married men without children or with adult children are not. Forced relocation of such men would split families apart and interfere with their basic right to family unity.
8. Caregivers of the elderly and individuals with special needs (outlined above in sections 1-3). In cases where alternative care frameworks or caregivers are unavailable, and where the relocation of the caregiver would leave the person dependent on him in an even more vulnerable position, the procedure should allow for an exemption from forced relocation.

Lastly, we would greatly appreciate the postponement of all relocation proceedings against these groups:

9. Individuals in UNHCR's resettlement/sponsorship programmes: UNHCR is supporting the Israeli Government in facilitating durable solutions for the most vulnerable refugees through resettlement to third countries and facilitating departures of refugees through sponsorship programmes to third states. In view of the vulnerability of the candidates, and given that these individuals will relocate to countries matching their needs and vulnerability, we would appreciate allowing UNHCR to finalize their resettlement/sponsorship applications.

Yours sincerely,



Walpurga Englbrecht
Representative



Copy to:

- Attn. Dina Zilber, Deputy Attorney General (Consultation), Ministry of Justice
- Attn. Dr. Roy Schönöndorf, Deputy Attorney General (International Law), Ministry of Justice
- Attn. Avital Sternberg, Senior Director of Legal Counsel (Administrative Law), Ministry of Justice
- Attn. Hila Tene Gilad, (International Law), Ministry of Justice
- Attn. Moran Schnaider (Rosenblum), Professional Adviser to the Minister of Justice
- Attn. Daniel Solomon, Senior Legal Adviser, Population, Immigration and Border Authority, Ministry of Interior
- Mr. Ilan Shapira, Adviser, Population, Immigration and Border Authority, Ministry of Interior
- Mr. Ronen Gil-Or, Director, Human Rights and International Organizations Department, Ministry of Foreign Affairs
- Attn. Noam Cappon, International Law Department, Office of the Legal Adviser, Ministry of Foreign Affairs