



Yesh Din's position on Israel's lack of effective law enforcement on Israelis who harm Palestinians in the West Bank

Yesh Din is an Israeli human rights organization promoting human rights of Palestinians in the OPT; its work focuses on law enforcement on Israeli civilians and security forces personnel who harm Palestinians and their property, and on defending Palestinians' property rights. Since 2005, Yesh Din has provided legal aid to thousands of Palestinian crime victims and has monitored over 1,000 investigation files in cases involving Israeli civilians and security forces personnel. This enables the organization to assess both the results and quality of such investigations and draw conclusions regarding the work of law enforcement agencies, the motivation behind crime against Palestinians and the Government of Israel's policies on law enforcement in the OPT.

Figures:

Law enforcement with respect to offenses committed by Israeli civilians against Palestinians in the West Bank, Yesh Din monitoring data of police investigations 2005-2015

- Approximately 85% of police investigations were closed due to investigative failures
- There is a mere 1.9% chance that a complaint filed by a Palestinian with the police will result in a conviction

Law enforcement with respect to offenses committed by Israeli security forces personnel against Palestinians in the West Bank, Yesh Din monitoring data of MPCID investigations 2010-2015

- Just 3% of the investigations opened by the MPCID (Military Police Criminal Investigation Division) resulted in indictments.¹

These figures point to the failure of law enforcement agencies to protect Palestinians from offenses committed against them by Israeli civilians and security forces. In addition, many crime victims choose not to complain to the police due to mistrust in the Israeli law enforcement system, given its ongoing failure to bring offenders to justice.

Lack of effective law enforcement on Israeli civilians prevents Palestinian landowners from accessing and cultivating their land, directly threatening their livelihood. Most of the offenses against Palestinians are intended to terrorize farmers and landowners and push them off their land, ultimately dispossessing them. Without deterrence, offenders continue unabated. For this reason, Yesh Din maintains that there is a direct link between the failure of Israeli agencies charged with enforcing the law and protecting Palestinians and their property, dispossession of Palestinians of their land and the expansion of land under the control of the Israeli settlement enterprise.

Lack of law enforcement in the West Bank is also notable in the shift in Israel's policy regarding unauthorized outposts during the past few years,² resulting in retroactive authorization of outposts. Of the 100 unauthorized outposts in the West Bank, about one third (32) have been retroactively authorized or are undergoing such a process. Retroactive authorization of outposts will effectively constitute the creation of 100 new settlements in addition to the 120 permanent, established settlements in the West Bank. Institutionalizing land grab and dispossession creates the impression that Israel is working toward driving Palestinians out of Area C, where the Israeli settlements and outposts are located. This increases concern that the ultimate purpose of this policy is to facilitate the official annexation of Area C to Israel.

For figures and further reading, please visit: www.yesh-din.org

¹ Not every report or information regarding an offense that reaches IDF law enforcement agencies results in a criminal investigation.

² While international law forbids building settlements in occupied territory, Israeli law does not. Unauthorized outposts are Israeli settlements built without government approval, and are therefore considered unlawful under Israeli law.

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