

# AVOIDING COMPLAINING TO POLICE – FACTS AND FIGURES

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The Israel Police is the agency charged with law enforcement both in Israel and the West Bank. Crime victims file complaints with the Israel Police.

However, Palestinian victims of crimes committed by Israelis often refrain from filing a complaint with police, a fact law enforcement authorities have been aware of for many years. Palestinians' reluctance to complain to police was mentioned in each of the three official Israeli reports on law enforcement in the West Bank: the Karp report (1982), the Shamgar report (1995) and the Sasson report (2005). This reluctance was noted as one of the elements that impede police work in the West Bank. There are several reasons why crime victims avoid turning to the police. The Karp report highlighted the main points, which are still relevant today:

The spectrum of possible reasons for lack of complaints may range from resignation and a natural tendency not to complain, to reluctance to make contact with the authorities, fear of threats or retribution, and conclusions drawn from the lack of results in previous complaints filed to the police, or police refusal to handle complaints. (Karp report, p. 26)

In 2013, Yesh Din began systematically documenting incidents in which Palestinian crime victims chose not to complain to the police. Our records indicate that in 123 out of 413 incidents of ideologically motivated crime committed by Israelis against Palestinians that occurred between 2013 and 2015, crime victims explicitly said they were not interested in filing a complaint with the Israel Police (approximately 30% of all incidents documented by Yesh Din during that period).

There are varied reasons for Palestinian victims' reluctance to complain:

- **57** cited **mistrust in Israeli law enforcement authorities**, of which **17** noted that their lack of trust is based on personal experience with previous complaints;
- **22** cited **concern that filing a complaint would result in harm to themselves or their families**;
- **15** did not specify the reasons for their decision not to file a complaint with the police;
- **4** stated they **would only complain via the Palestinian Authority**, or that they **ideologically opposed engaging with Israeli authorities**;
- **2** decided not to file a complaint for other reasons.

In addition, several complaints filed with the Israel Police by crime victims were not investigated because of systemic problems within the law enforcement system in the West Bank, as well as technical difficulties affecting Palestinians who wish to complain:

- **12** filed a complaint with the District Coordination Office or the Palestinian police, but were not interested in re-filing after **their complaint was never transferred to the Israel Police**;
- **11** complained to the police personnel who arrived at the scene of the offense and gave them their account of the incident, but lost interest in re-filing a complaint after realizing that their initial **complaint never led to an investigation**.

**The reality in the West Bank is that police seldom instigate investigations of offenses committed by Israelis against Palestinians and their property. Without complaints from Palestinians, law enforcement authorities are under-informed and ideologically motivated crimes perpetrated by Israelis are not properly addressed, leaving Palestinians' rights unprotected.**

**It is Israel's duty to address this problem and to increase the protection offered by the law enforcement system in the OPT.**

### Yesh Din recommends:

**The central, long-term mission of the Israel Police is to achieve genuine improvement to the quality and efficacy of its investigations, and bring offenders to justice.**

In the interim, the police must take several immediate measures:

1. Increased availability of Arabic speaking investigators, including female investigators.
2. Ensure police investigators treat Palestinian complainants and witnesses with respect. This includes taking determined action in regard to complaints by Palestinians of difficulties or abusive behavior while filing complaints and giving statements to the police.
3. Take action to dispel the concerns expressed by many Palestinians over the years that filing a complaint with the police may result in the revocation of entry permits to Israel, or reduce the chances of obtaining such a permit in future. The police and the IDF must clarify in no uncertain terms that no sanctions are taken against Palestinians who file complaints with either the police or the Military Police Criminal Investigation Division. If there is any truth to such allegations, authorities must immediately desist from this grievous practice, which undermines the most fundamental principle of law enforcement.

A thorough analysis and more information regarding police failure to protect Palestinians and enforce the law on Israeli offenders in the West Bank is available in [Mock Enforcement](#), a Yesh Din report published in May 2015.

More figures on law enforcement in cases of ideologically motivated crime against Palestinians are available in the data sheet on the [prosecution of Israeli civilians suspected of harming Palestinians in the West Bank](#) (May 2015) and the data sheet [law enforcement on Israeli citizens who harm Palestinians and their property in the West Bank](#) (October 2015).