

# CASE STUDY: NORTHERN GAZA STRIP

## SMALL ARMS AND COMMUNITY SECURITY PERCEPTIONS: NORTH GAZA

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(map) GAZA STRIP

This report aims to define the tendencies and perceptions towards small arms misuse and proliferation of the Palestinian society in North Gaza, as a necessary introduction to perform a more thorough and profound study of this phenomenon. Focus group participants (community members) proposed possible solutions capable of limiting and eliminating the proliferation and misuse of the small arms and light weapons whose impact has come to pose a serious threat to stability on occupied Palestinian territories, particularly after the Israeli redeployment from the Gaza Strip.

### 1. The Study Area

The report addresses the proliferation and misuse of small arms and light weapons in the Gaza Strip. The report focuses on the North Gaza province in the Gaza Strip.<sup>1</sup> The North Gaza province lies at the uppermost northern part of the Gaza provinces, bound from the north and east by a borderline that separates it from the territories occupied in 1948, from the west by the Mediterranean Sea and from the south by the Gaza province. The North province occupies an area of 62 sq. m. representing 17% of the total area of the Gaza provinces.

The North province consists of three urban centers classified as municipalities (*Baladiyat*): the Beit Hanoun municipality at the extreme north of the North province, the Beit Lahia municipality at the middle and west of the province, and the Jabalia municipality at the extreme south. The population of the North province in 2005 is estimated at about 281,727<sup>2</sup>. The population of the Jabalia refugee camp exceeds 103,646 according to the estimates of the International Relief Agency. It is the largest refugee camp on Palestinian occupied territories. This includes a combination of urban and rural local populations as well as a large number of refugees from the 1948 and 1967 wars with Israel. (map) NORTH PROVINCE

For the past one hundred years, Gaza has been ruled by a succession of foreign powers, including the Ottoman Turks, Great Britain, Egypt and Israel. Legitimacy of government and ruling institutions has not been strong, and large families and tribes still play a major role in social and political organization. Gaza has played a central role in the development of the Palestinian national resistance and there are also a number of political factions and organizations that play a central role in organizing the public life of their members.

### Challenges Encountered

Al Mezan faced a number of challenges in conducting the study:

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<sup>1</sup> The Gaza Strip is part of the Palestinian North Coast located southwest of Palestine. It forms a long and narrow rectangle, 45 sq. km in length and 5.7 sq. km. in width at the north section, and about 12 km at the southern tip. The total area of the Gaza provinces according to the current borders amounts to 365 sq. km. The population of the Gaza provinces –according to the estimates of the Palestinian Central Agency for Statistics- is about 1,472,33 in 2005.

<sup>2</sup>The population census, according to the estimates of the Palestinian Central Agency for Statistics, based on the results of the population census the Agency performed during the period from 10-24/12/1997 and the result of the study the Agency conducted after the census, involved 83,805 persons.

- Escalation of the number of attacks launched by the Israeli Occupation Forces against the Gaza Strip in response to the firing by Hamas of locally made rockets into Israeli territory.
- An explosion took place during a Hamas military parade on September 23<sup>rd</sup> 2005, killing 19 Palestinians and injuring 130 others.
- Air strikes and frequent sonic booms were conducted by Israeli aircraft, breaking the speed barrier in Gazan airspace, which many believe were intended to apply psychological pressure on the general Palestinian population.

The fact that Palestinians have unfortunately been subjected to these kinds of problems and insecurity for many years now has provided a wealth of experience for community organizations, of ways in which to address these challenges. Moreover, there is also widespread concern that the spread and misuse of weapons has been a significant contributing factor to the state of insecurity. Coupled with the absence of the rule of law these factors demonstrate to the people of Gaza, the importance of conducting this study.

### **The Focus Groups**

Three focus groups were conducted and participants represented young people aged between 18-35 years. Male and female participants were equally represented. 58% of the participants had completed university education and 20% had completed high school education. 34% of the participants were employed, of which 13.7% owned private business while 13.7% represented white collar workers and were employed in public civil work respectively. 27.5% of the participants represented students or volunteers and 31% were unemployed and looking for a job.

## **2. Small arms in Gaza: An Overview**

The main influx of arms into Gaza began at the start of the al-Aqsa Intifada. About six years following the establishment of the Palestinian National Authority in the occupied territory in 1994, the al-Aqsa Intifada broke out on 28 September 2000 following the visit of Ariel Sharon, to the courtyard of the Blessed Aqsa mosque. Sharon's visit took place during a time of despair and frustration following the failure of the Palestinian-Israeli negotiations at the Camp David retreat in the United States. To Palestinians, the collapse of these negotiations reflected the Israeli position against providing the Palestinian people their rights in accordance with international legitimacy decisions to withdraw from Palestinian territories occupied in 1967.

The Israeli Occupation forces responded to the Intifada with the use of large scale excessive and fatal force. They destroyed numerous public establishments, houses and private property. Occupation forces also struck decisive blows to the various institutions of the Palestinian National Authority, particularly the police and security authorities, targeting for a long time the National Authority's institutions and bodies, police vehicles, including the prisons of the National Authority. These blows severely weakened the National Authority and the young governing institutions it had attempted to establish.

Palestinian resistance responded to Israeli policies with the use of firearms. A large number of weapons came from Egypt and through Israeli middlemen, but Palestinians also sought to locally produce small arms and light weapons specifically because the Occupation forces made it difficult for weapon smuggling to take place. With the increase in violence that accompanied the al-Aqsa Intifada, Palestinian territories and the Gaza Strip in particular witnessed a major proliferation of firearms, as families and individuals sought to own weapons for purposes other than armed resistance.

Participants of the focus groups agreed that (aside from Occupation realities and ongoing armed resistance) the failure to institutionalize the Palestinian National Authority, and in particular, the failure to institutionalize the Authority's security apparatus internally, played a crucial role in creating the current unstable environment. This environment is characterized by a lack of security discipline and the increased availability of small arms. Respondents explained that they had been subjected to conflict *within* the different security apparatuses, demonstrating the conflict of interests and multiple loyalties inside these bodies. Participants also pointed out the negative role the Authority played in strengthening tribal structures and concepts in society, extremely

weakening the Authority's role, and marginalizing political parties. As a result, citizens conferred their loyalty first to their families and tribes ahead of state institutions and political parties. In addition to an absence of the rule of law, participants identified the Palestinian Authority's inability to separate authorities and institutionalize them (particularly security apparatuses), the failure of the Authority to restrict the use of resistance weapons to their defined purposes and the inability of the Executive Authority to enforce the law as factors contributing to the current situation of insecurity.

As Palestinian society's internal security situation deteriorated, cases of weapons misuse in the Gaza Strip increased, as did the number of small arms victims, reaching into the hundreds. The varied cases of arms misuse serve as indicators of the deterioration in security, and the spread of small arms and light weapons represented a significant factor in escalating the situation. The types of such cases can be classified as follows: confrontations between security personnel in various security bodies; the kidnapping of public figures, foreigners, journalists and citizens at gunpoint; assassinations and assaults against public figures, family and individual disputes; murder for vengeance and honor killings, as well as assaults against public institutions and government offices. The following table demonstrates the volume of victims of internal violence incidents due to the misuse of weapons.

### Number of Victims of Misuse of Arms<sup>3</sup>

Number of Deaths	Number of Wounded	Killed Children	Wounded Children
155	939	30	134

### Number and Type of Misuse of Weapons Incidents<sup>4</sup>

Wrong Bombing	Internal Explosions	Shots Fired during Occasions	Killing Persons Accused of Being Agents	Tampering with Weapons	Honor Incidents	Attacking Institutions	Kidnapping and Holding Hostage	Family Disputes	Conflict between				
									Factions & Families	Bodies & Families	Factions	Security & Factions	Security Bodies
3	21	9	3	21	9	51	31	98	8	8	15	42	11

## 3. Small Arms Perception Survey and Discussion

### 3.1 Perceptions of Security

Risks resulting from the spread and misuse of small arms and light weapons in the Palestinian territories in general, and in the Gaza Strip in particular, increase everyday. Many people expect that cases of misuse will double after Israel implements redeployment from within the Gaza Strip,

<sup>3</sup> Information based on documentation performed by Al-Mezan Center for Human Rights, 1<sup>st</sup> January 2003 to 14<sup>th</sup> October 2005

<sup>4</sup> The information in the table is based on documentation performed by Al-Mezan Center for Human Rights. The table addresses the number of incidents rather than the number of victims in these types of incidents, 1<sup>st</sup> January 2003 to 14<sup>th</sup> October 2005

while it continues to control the air space, regional water and all the passageways. The demand for small arms and light weapons is expected to rise, as is the deterioration of the security situation where these weapons are illegally used. These factors threaten an increase in the number of victims and pose a serious threat to the Palestinian National Authority's ability to achieve real economic, social and political development in the Gaza Strip. They also pose a serious threat to personal safety and the stability of the Palestinian community in the Gaza Strip.

There was consensus among the participants of the focus groups that there are real problems that challenge personal safety within the Palestinian society in general and the North Gaza province in particular. (Participants were asked to consider their personal and community security status, outside of the realm of Occupation and its realities). In fact, 41.3% of the participants believe that their community is more dangerous than other communities in Gaza. Participants justified their suggestions based on the lack of internal security discipline which has come to threaten society and its stability. Participants affirmed that this problem has begun to emerge as a real internal threat and danger to society exceeding the danger of the Occupation itself. The lack of internal security, participants agreed, can fragment society and destroy the basis of its stability. It is interesting to note that 51.7% of the young people identified the proliferation of small arms to be their major source for insecurity. 20.6% of the respondents identified political and economic insecurity and 10.3% identified crime to be their source for insecurity.

Despite the respondents' apparent concern of internal security and governance, 86% of the respondents saw the Palestinian Interior Ministry as the main entity which should be responsible for meting out security. 13.7% of the respondents chose the army to be their main security service provider. Asked who respondents would resort to in the case of a major robbery, 79% agreed they would contact the police and Interior Ministry. 17.1% of the respondents suggested that they would resort to their friends, family and family decision makers. Interestingly, when asked who the respondents would contact in the case of harmful threat, only 55.1% would refer to the police or Ministry of Interior. 23.8% would refer to their friends, families and family decision makers and 10.3% would refer to current members of the armed forces.

### **3.2 Perceptions of Availability and Ownership**

The majority (89.6%) of respondents believes that there are too many weapons in their society. 10.3% of the respondents however either did not wish to reply or did not know. There was consensus among participants of the focus groups that small arms, such as guns, machine guns (Kalashnikovs) and local hand grenades, were the most dangerous among the weapons present in society. These were followed by light arms, such as local missiles and explosives, which cause numerous victims due to mistakes in storage, manufacturing or misuse.

31% of the respondents believe that most of these weapons were held by politicians. 24% suspect that they belonged to criminal organizations. 17.2% thought the weapons were held by businessmen and 13.7% believe that weapons were mostly held by smugglers. 6.8% of the respondents, respectively, felt that weapons were held throughout society, did not know or did not wish to express their views. Asked where one might obtain such weapons, 27.5% suggested that they were acquired legally, 20.6% did not know, 17.2% suggested that one would simply ask someone where to buy weapons and 6.8% of the respondents each said they could buy weapons on the black market, borrow them or take them from family members, respectively. 3.4% of the respondents each suggested that they could obtain them from a secret warehouse, buy them from a friend and go to a certain area where they known to be a source, respectively.

Asked if the respondents would choose to legally possess weapons, just above half, (55.2%) replied they would not. 41.3% would not choose to possess weapons because of the dangers they posed on their families (for children for example). 41% also suggested that possessing weapons posed a danger to the society as a whole, 24.1% suggested they did not need weapons and 20.6% explained they did not like weapons. (Interesting to note that in a separate question 62% of the same respondents believe that possessing weapons renders their families less safe, 17.2% felt that they render their families safer and 13.7% did not feel that weapons tended to make any difference to the status of family security). 17.2% of the respondents also suggested that they did not know how to operate weapons; hence they would choose not to obtain a weapon. 3.4% suggested that obtaining a license was expensive and difficult. Of the 31% of the

respondents who *would* choose to possess a weapon legally, the majority of respondents, 62%, would use them to protect themselves and their families. 13.7% suggested that possessing a weapon would contribute to preserving their security in their communities and because many others possessed weapons, respectively. 6.8% would choose to possess weapons for use during family disputes.

To ascertain levels of availability and gun possession within the North Gaza community, respondents were asked whether they or their families owned a weapon and if so, how many. 55.1% expressed that did not possess weapons and 20.5% of the respondents either did not know or did not wish to answer the question. A total of 23.9% said they did own weapons. Of this figure, 13.7% owned one gun, 6.8% owned two and 3.4 % owned three guns.

### 3.3 Perceptions of Gun Culture

Palestinian social development has played an important role in emphasizing the demand for and proliferation of small arms, through phases of Bedouin, rural then urban life. The possession of weapons was important to Arab tribes in Palestine. It represented a source of power to various tribes where disputes were restricted to water sources, the ownership of land, vengeance and protecting cattle herds.

Past and current political factors and armed military disputes, as well as the absence of the state authority also played an influential role in creating a culture which respected carrying and possessing weapons. Gun culture was particularly enhanced after the occurrence of Israeli attacks aimed at uprooting, seizing and banishing people from their property. Within this context, there are folk stories about wives who sold their gold possessions and jewelry to buy weapons for their husbands and sons<sup>5</sup>. The use of weapons became one of the features of celebration. Bullets were shot during weddings and public celebrations, as well as during funerals, to express extreme happiness or anger.

Recent developments which impacted the social, economic and cultural circumstances –of a local nature- that encouraged the proliferation of weapons may be summarized in the following three points:

- Emphasizing the tribal concepts and structures in society on the account of the political and party structures. The Public Election Law 13 of 1995 was one of the influential factors in emphasizing the role of the tribes. Adding to the above was the National Authority's policy of encouraging tribal ties and providing them with financial support through donations from the Palestinian Presidential institution.
- The extreme poverty and the absence of a clear national policy to alleviate poverty contributed to the emergence of murder crimes for theft. According to data from the Palestinian Central Agency for Statistics published on August 12<sup>th</sup> 2005, poverty in the Gaza Strip reached 37.2% with relation to expenditure and 65% with relation to income.
- The absence of any serious remedy to the deteriorating unemployment problem. The number of individuals participating in the Palestinian labor force in the Gaza Strip reached 267,000, 37.2% of the total Palestinian labor force in 2005. The number of unemployed persons within the labor force who are still looking for employment reached 114,000 (42.9%). This figure does not include the unemployed within the labor force who have ceased their search for employment. Statistical results from the Palestinian Central Agency for Statistics during the first quarter of 2005 showed a slight decrease in the rate of those participating in the Palestinian labor force to reach 36.6%.

However, social and cultural factors are only a small part of what drives residents of North Gaza to possess arms. According to the survey, 72.2% of the respondents believe that people buy firearms for uses related to protection (personal safety, property protection and for political security). Only 13.8% of the respondents felt that people possessed weapons because they are part and parcel of Gazan and Palestinian tradition and a source of pride.

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<sup>5</sup> This is obvious in the Palestinian folk songs. Please refer to Abed Obayd al-Zorai'y: "Women in Palestinian Folk Literature" and other relevant reference material.

Political circumstances play a key role in the spread of small arms in Palestinian society. Palestinian society experienced stormy development over the course of its past and modern history, which encouraged Palestinians to purchase and possess arms for personal use. Israeli forces completed their occupation of Palestinian territories and imposed their military rule by occupying the Gaza Strip and the West Bank, including the city of Jerusalem, during the Six Day War of June 1967. Political movements organized to resist the Occupation using violence encouraged the demand for weapons. Further, the weakness of the Palestinian political system, which preceded the Intifada, has had a large hand to play in the proliferation of small arms and their illegitimate use in Gaza. The Authorities' weakness may be considered as follows:

- Failure to establish a clear separation of powers and the dominance of the Executive over the Legislative and Judiciary authorities. This contributed to marginalizing the Legislative Councils' powers of control and accountability, as well the role of the Judiciary Authority, the decisions and rulings of which are not enforced.
- The absence of the rule of law which should signify that the entire population, leaders and the governed, are subject to the law and that the efforts of all institutions should be subject to rules and regulations that organize these efforts and determine authorities, setting penalties in cases of violation. The laws should also be publicly announced, issued by an elected legislative authority. The enforcement of the principle of the rule of law is linked to the nature of the laws themselves, how just they are and to what extent they give priority to moral values and respect human rights and basic freedoms.
- The spread of corruption in the Palestinian security bodies and the absence of monitoring and accountability, which have led to the creation of a state of conflict over power and the imposition of illegal levies. Matters even reached the extent of ignoring the role of the Judiciary Institution in favor of the Security Institution. For example, some security bodies were in charge of pursuing and holding accountable those who try to evade paying the installments on a bank loan obtained through official channels. Rather than resort to court, the bank resorted to a security body with the consent of the National Authority.
- Weak loyalty on part of security and police personnel to their institutions, providing precedence to family, tribal and party ties, in the case of conflict between the two affiliations. Security personnel sometimes refrained from enforcing court orders and rulings for fear of punishment from their families or parties.
- The lack of serious effort on the Authority's part in enforcing the law governing firearms and ammunition and punishing those proven to have illegally used firearms, despite repeated statements from police officials prohibiting the use of weapons in public occasions. Instead, the use of weapons increased in public occasions, private weddings and funerals. The Authorities have not moved to punish those who violate the law despite the increase in the number of those who were wounded due to arbitrary shooting.

### **3.4 Perceptions towards SALW Acquisition**

27.5% of the respondents agree that citizens who did not license nor register their weapons, , probably felt they may need them again. Also, 27.5% of the respondents felt that many people do not consider holding unlicensed arms as a crime and 24.1% of the respondents believe that people would be fearful of licensing their illegally held weapons due to fear of punishment. Interestingly 17.2% of the respondents also believe that people did not feel required to register their weapons through legal systems and 3.4% felt many did not register their weapons because others also did not choose to.

### **3.5 Perceptions on the Impact of SALW on Society**

Given the considerable availability of weapons in North Gaza, it can be expected that they would impact security situations, as well as social and community development. In fact, 17.2% of the respondents agree that the presence of weapons in their communities greatly reduces economic development and standards of living. 51.7% of the respondents felt that economic development and living standards were slightly reduced, and 24% did not feel that the presence of weapons had much effect on community and economic development. 3.4% of respondents believe that the presence of weapons increased economic and political development. Participants of the focus groups in general agreed that the presence of weapons eliminated any opportunities to attract economic investment, which depends on political, social and economic stability. Considering the

lack of natural resources and wealth in the Gaza Strip, attracting investment is the only opportunity to stimulate the economy and raise standards of living.

#### **4. Recommendations by the Community**

##### **For possible efforts to increase security and guard against small arms violence**

Asked what kind of weapons citizens *could* be allowed to own legally, 58.6% of the respondents agreed that no single weapon should be allowed to citizens. 34.4% suggested that citizens should be allowed to hold pistols and guns for use in hunting and other sporting activities. In relation to a question about what can be done to protect against the violence imposed by the proliferation and misuse of small arms, there was consensus among the participants that the Authority should regulate citizens' weapons. 89.8% of the respondents were in favor of government regulation, and 6.8% were against.

Participants highlighted the importance of providing training to police personnel to enable them to undertake their tasks efficiently. 82% of the respondents suggest that security in their communities would be increased if the efficiency of police and security forces were increased. They agreed that the Authority should fulfill its role of regulating security authorities and controlling its personnel and their weapons. 79.3% of the respondents agree that effort should be made to collect unlicensed weapons and 75.8% suggest that effort should be made to increase the monitoring of legal licensing of weapons. The Authority should seek to enforce the law governing weapons and ammunition and 72.4% of the respondents agree that those who did not abide by the law should be punished for illegally possessing weapons.

Participants suggest that leadership authorities within Palestinian organizations should collect the weapons of their members and place them under strict surveillance, as long as it is not possible for the Authority to collect these weapons. Enforcing the law against all those who breach it or take it into their own hands will constitute a deterrent step that will improve the situation. Finally, 72.4% of the respondents also suggest increasing border controls. This should take place gradually along with a national consensus and the effective participation of all civil society institutions and political parties to guarantee respect of the law by citizens.

Participants of the focus groups also called for activating and strengthening the role and independence of the judiciary. In turn the judiciary should seek to immediately enforce the law organizing weapons and ammunition, impose deterrent penalties against all those who possess unlicensed weapons and those who sell such weapons, while confiscating them, after completely controlling all passageways and borders. In addition to the above measures, participants suggested that political parties restrict the spread of weapons among their members and ensure that the use of weapons is restricted to cases of national necessity, while respecting and working with the National Authority to enforce the law.

Participants suggested launching intensive campaigns to guide and raise awareness to acquaint citizens with the dangers of the proliferation and misuse of small arms and their negative impact on the future of Palestinian territories. It has been proved that both public frame of mind and the communal perspective on the misuse of small arms have positively and constantly developed, relating to two main missing factors: the prevalence of a state of stability and security and halt of the Israeli violations; continuing the stimulation of this issue by media, specialists and Palestinian National Authority officials. In light of this, Al Mezan Center for Human Rights will continue to publish press releases and present their position at workshops. The Center, in due course, plans to organize seminars and awareness raising sessions in cooperation with concerned parties.

Awareness raising efforts in Gaza should be achieved using written and visual media, workshops and seminars, while focusing on relevant Islamic principles and encouraging people to adhere to such principles. In addition, action should also include creating a national accord mechanism about prohibiting the display of resistance weapons on the street. These campaigns should target general and special sectors of the Palestinian people in order to achieve the desired objective. These efforts should freely explain the role that small arms play in reinforcing the state of insecurity.

Finally, participants agreed on the importance of the role of research in highlighting the phenomenon of the proliferation of small arms and light weapons and the need to restrict this phenomenon. Such efforts should focus on highlighting the phenomenon, explaining it and analyzing the results to contribute to raising public awareness and drawing the attention of officials and other institutions to the volume of resulting human and material losses. Research should also take place to decipher the main incidents of illegal use of weapons, number of victims and level of resulting damage. Such efforts should include the investigation of methods by which to combat the phenomenon. For example, efforts could be made with the Palestinian Ministry of Interior and sheikhs of tribes to agree on the importance of the rule of the law, respect of court rulings, and not taking the law into one's own hands or to tribal judiciary.

## **Conclusion**

The results of the preliminary study show that many in North Gaza desire greater security and control of the proliferation and misuse of small arms, outside the realm of political and national emergencies. There is a natural awareness to a great extent, of the major dangers posed by small arms misuse and proliferation facing Palestinian society on various levels: social, economic and political, which currently threaten to result in a state of extreme chaos that will have a destructive effect on the future of the Palestinian society.

The results also pointed out the development in citizen awareness about the legitimacy and importance of fighting this phenomenon despite the sensitivity of raising such an issue with the presence of the Occupation. Respondents recognized the difference between resisting the Israeli Occupation and possessing and misusing weapons in their communities. However, focus group participants demonstrated ignorance of the fact that a Palestinian law regulating weapons possession and use indeed exists, an issue which had to be pointed out by the facilitator. As a result of this knowledge, participants changed their relevant recommendations from suggesting for specific laws to requesting that the relevant laws be applied to all citizens.

Discussions were heated when trying to determine which sector of society possesses more dangerous weapons. Some of the participants believed that the different factions of Palestinian resistance hold the most dangerous weapons. This was challenged with a strong reaction from the rest of the participants. After a debate, there was consensus that the weapons of resistance, as well as the weapons of the Authority itself, become more dangerous if their use is not restricted for the purposes for which they were purchased. Generally, participants came to agreement that weapons should not serve to resolve family issues and personal problems.

Regarding the extent of gun availability within the studied community and in general in Gaza, there was consensus among participants that they are largely available but that it is not possible to reach an estimate of how many. The researcher was not able to obtain an estimate of the volume of small arms in the occupied Palestinian territories and the Gaza Strip in particular due to the lack of relevant information rather than lack of cooperation from the Palestinian people. Thus, the researcher recommends that studies and research continue with relation to the phenomenon of the proliferation and misuse of small arms, analyzing the dimensions of this phenomenon, including demand, supply, drivers, impact, dangers and future impact of misuse and proliferation.