

Country/entity	Israel Palestine
Region	Middle East and North Africa
Agreement name	Agreed Principles for Rafah Crossing
Date	15 Nov 2005
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Arab-Israeli Conflicts (1948 -)

This conflict involves Israelis and Palestinians over territory and belonging and has long historical antecedents. The agreements post-1990 are between the Palestinian Liberation Organisation (PLO) and Israel, with some supporting inter-state agreements (i.e. between Israel and Jordan). More recently the importance of the once dominating Palestinian Liberation Organisation (PLO) has diminished not in the least due to the effective disappearance of its left-wing members and the loss of the popularity of their political wing, Fatah. Hamas and other Islamic groups have attained significant relevance in Fatah's stead, with Hamas controlling the Gaza strip (from which Israel ultimately unilaterally withdrew (not coded as a peace agreement).

Geo-political implications of the conflict have been considerable across the MENA region. Close

Arab-Israeli Conflicts (1948 -)

Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Israel-Palestine peace process
Parties	Israel, PLO
Third parties	-
Description	Agreement outlines the responsibilities on operating the Rafah Crossing from Palestine into Egypt. Provisions include powersharing, third party involvement and security arrangement, etc.

Agreement document [IL_PS_051105_Agreement_for_Rafah_Crossing.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons Groups→Disabled persons→Substantive
Page 2, General,
...
Until Rafah is operational, the PA will open Rafah crossing on an ad hoc basis for religious pilgrims, medical patients, and others, in coordination with General Gilad's office on the Israeli side.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups Groups→Religious groups→Substantive
Page 2, General, Until Rafah is operational, the PA will open Rafah crossing on an ad hoc basis for religious pilgrims, medical patients, and others, in coordination with General Gilad's office on the Israeli side.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** No specific mention.

Social class No specific mention.

Gender

**Women, girls and
gender** No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision Page 2, General, Rafah will be the only crossing point between the Gaza Strip and Egypt (with the exception of Kerem Shalom for the agreed period).

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society The PA will notify the GoI 48 hours in advance of the crossing of a person in the excepted categories-diplomats, foreign investors, foreign representatives of recognized international organizations and humanitarian cases.

The GoI will respond within 24 hours with any objections and will include the reasons for the objections;

The PA will notify the GoI of their decision within 24 hours and will include the reasons for their decision;

**Traditional/
religious leaders** No specific mention.

**Public
administration** No specific mention.

Constitution No specific mention.

Power sharing

**Political power
sharing** No specific mention.

**Territorial power
sharing** Power sharing→Territorial power sharing→Local/municipal government
Page 1,
General
Rafah will be operated by the Palestinian Authority on its side, and Egypt on its side,
according to international standards, in accordance with Palestinian law and subject to
the terms of this agreement.

**Economic power
sharing** No specific mention.

**Military power
sharing** No specific mention.

Human rights and equality

**Human rights/RoL
general** [Summary] References to international standards are made throughout the agreement.
Page 3, Customs, Rafah will be operated according to international standards and rules
and the Paris Protocol.

Bill of rights/similar No specific mention.

**Treaty
incorporation** Page 3, Customs, Rafah will be operated according to international standards and rules
and the Paris Protocol.

**Civil and political
rights** No specific mention.

**Socio-economic
rights** No specific mention.

Rights related issues

Citizenship	Rights related issues→Citizenship→Citizenship other Page 1, General, Use of the Rafah crossing will be restricted to Palestinian ID card holders and others by exception in agreed categories with prior notification to the Gol and approval of senior PA leadership.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	Page 3, Security, On a case by case basis, the PA will consider information on persons of concern provided by the Gol. The PA will consult with the Gol and the 3rd party prior to the PA making a decision to prohibit travel or not. During this consultation, which will not take more than six hours, the person in question will not be permitted to cross. Page 3, Security, The PA will provide the 3rd party a list of names of the workers at Rafah crossing which will be shared with the Israelis. The PA will take the Israelis concerns into account.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 4, Third Party, The 3rd party [EU] will assist the PA to build capacity - training, equipment and technical assistance - on border management and customs.

Business Page 1, General, The PA will notify the Gol 48 hours in advance of the crossing of a person in the excepted categories-diplomats, foreign investors, foreign representatives of recognized international organizations and humanitarian cases.

The Gol will respond within 24 hours with any objections and will include the reasons for the objections;

The PA will notify the Gol of their decision within 24 hours and will include the reasons for their decision;

... Rafah will also be used for export of goods to Egypt.

Page 2, Security, Travellers, including returning residents, may use the crossing point to bring in personal effects as defined in Rule 1(e) to Heading 7 of the Annex to the prevailing Customs Tariff. Any other personal belongings or other goods shall be cleared at the Kerem Shalom crossing point.

Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Page 1, To be supplemented prior to opening by agreements on security, customs and 3rd party implementation procedures

Page 2, Security, Travellers, including returning residents, may use the crossing point to bring in personal effects as defined in Rule 1(e) to Heading 7 of the Annex to the prevailing Customs Tariff. Any other personal belongings or other goods shall be cleared at the Kerem Shalom crossing point.

Page 3, Customs, GoI and PA agree on widest possible co-operation and information sharing.

GoI and PA will co-operate on training issues.

GoI and PA customs will hold regular meetings to which the GoE will be invited as appropriate.

Kerem Shalom

PA customs officials will clear incoming cargo at Kerem Shalom under the supervision of Israeli customs agents.

Both sides will discuss operating procedures at a later stage.

Operations at Kerem Shalom will provide training and capacity building to PA customs staff.

The 3rd party [EU] will review the PA's customs capacity in 12 months and make a recommendation to both sides for a joint decision regarding future arrangements. In the event of a disagreement, the U.S., in consultation with the GoI, the PA, and the 3rd party, will resolve the issue expeditiously.

Banks

No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

Security Guarantees

Page 1-2, General, Objective criteria for the inspection of cars will be established by consensus. The criteria are as follows:

Search equipment will be installed, including

- Black lights
- Power tools and a compressor for the tools
- Technology to be agreed, possibly including sonic imagery, gamma detection (full vehicle or hand held), and/or millimetre wave imagery
- Mirrors and bore scope equipment to search hard to reach places

Personnel will be trained to search vehicles and on the use of this equipment by the 3rd party to international standards.

Cameras will be installed to monitor the search process.

The 3rd party [EU] will evaluate the capacity of the PA to inspect cars according to these criteria and to international standards. Once the PA develops the capacity to inspect cars to the satisfaction of the 3rd party, cars will be allowed to pass through Rafah. Until that time, cars will pass through on an exceptional basis, subject to specifications agreed in the security protocol.

Page 2, Security, The PA will act to prevent the movement of weapons and explosives at the Rafah crossing.

Page 3, Security, Security services from Israel, PA, the U.S., and Egypt will continue to coordinate on security issues and will participate in the security working group

Page 3, Security, On a case by case basis, the PA will consider information on persons of concern provided by the GoI. The PA will consult with the GoI and the 3rd party prior to the PA making a decision to prohibit travel or not. During this consultation, which will not take more than six hours, the person in question will not be permitted to cross.

Ceasefire

No specific mention.

Police

No specific mention.

Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar Page 2, General, A liaison office, led by the 3rd party [EU], will receive real-time video and data feed of the activities at Rafah and will meet regularly to review implementation of this agreement, resolve any disputes arising from this agreement, and perform other tasks specified in this agreement.

Enforcement mechanism [Summary] The third party [EU] is provided an extensive role in arbitration and oversight.

Related cases No specific mention.

Source USIP; http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/rafah_crossing.pdf
