

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	Palestine
Region	Middle East and North Africa
Agreement name	Fatah-Hamas Agreement
Date	25 Sep 2014
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Hamas-Fatah Conflict (2006 -))
Stage	Implementation/renegotiation
Conflict nature	Inter-group
Peace process	Palestine, Intra-Palestian agreements
Parties	Hamas; Fatah
Third parties	-
Description	Agreement covering several issues and their means of implementation, including and end to the blockade, re-starting the Palestinian Legislative Council, treating civil servants whether employed before or after June 6, 2007 [Gaza elections] fairly, re-affirming common political goals, and resuming the work of the Public Freedoms Committee and the Community Reconciliation Committee, as well as holding new elections.

Agreement document [PS_140925_Fatah-Hamas_Cairo.pdf](#)  | [Download PDF](#)

Groups

Children/
youth No specific mention.

Disabled
persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group Groups→Racial/ethnic/national group→Rhetorical
Page 3, 5. Political Moves:
While emphasizing commitment to the 2006 document of National Reconciliation and all its items, we support Palestinian political moves and efforts aimed at achieving the national goals of the Palestinian people at this stage, and which are contained in the document of National Reconciliation - namely, the liberation of the land, the removal of settlements and the evacuation of the settlers, the removal of the separation and annexation racist wall, the achievement of freedom, right of return, independence and self-determination, including the establishment of an independent state with full sovereignty on all Palestinian lands occupied in 1967, with its capital in Jerusalem, guaranteeing the right of return of refugees to their homes and the liberation of all prisoners and detainees.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/ displaced persons	<p>Groups→Refugees/displaced persons→Substantive</p> <p>Page 2, 2. Ending the Blockade and Reconstruction: We call on all institutions and relevant parties, especially the Palestinian Government, to quickly accomplish the plans for the reconstruction of Gaza, with priority given to rebuilding houses, schools and hospitals - that have a relief and humanitarian dimension - to provide shelter for the displaced.</p> <p>Page 3, 5. Political Moves: While emphasizing commitment to the 2006 document of National Reconciliation and all its items, we support Palestinian political moves and efforts aimed at achieving the national goals of the Palestinian people at this stage, and which are contained in the document of National Reconciliation - namely, the liberation of the land, the removal of settlements and the evacuation of the settlers, the removal of the separation and annexation racist wall, the achievement of freedom, right of return, independence and self-determination, including the establishment of an independent state with full sovereignty on all Palestinian lands occupied in 1967, with its capital in Jerusalem, guaranteeing the right of return of refugees to their homes and the liberation of all prisoners and detainees.</p>
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Social class	No specific mention.
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Gender

Women, girls and gender	No specific mention.
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Men and boys	No specific mention.
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LGBTI	No specific mention.
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Family	No specific mention.
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State definition

Nature of state (general) Page 3, 5. Political Moves:
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State configuration No specific mention.

Self determination Page 3, 5. Political Moves:
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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 No specific mention.

Governance

Political institutions (new or reformed) Governance→Political institutions (new or reformed)→General references
Page 1, Committing to overcoming the obstacles facing its work, as well as the integration of all ministry workers, and enabling all institutions, bodies and provinces to carry out their duties as stipulated in the Basic Law.

Page 1, Empowering the Government of National Consensus and its ministers, each in his field and in accordance with the powers and functions entrusted to him in the National Reconciliation Document which was signed on April 5, 2011 in line with the Basic Law of the Palestinian National Authority.

Page 2, 3. Palestinian Legislative Council:
The two sides call on the parties to implement what was stated in the National Accord Document concerning the Palestinian Legislative Council in accordance with the agreements that formed the basis on which the National Consensus Government was formed. In this context, we call on the parliamentary blocs to hold the necessary consultations, which pave the way for a meeting of the Palestinian Legislative Council. In light of the results of the consultations, we call on the President of the Palestinian National Authority to issue a special decree inviting the council to convene and begin practicing its duties in accordance with the Basic Law.

Page 3, 5. Political Moves:
The two sides stress that these efforts and political moves will be followed up by the PLO and its institutions, particularly the committee for activating and developing the PLO (provisional leadership framework).

Elections Page 3-4, 8. Elections:
The two sides stress the need to quickly provide conditions for holding elections in accordance with what is stated in the agreements and understandings, the most recent being the Shati Agreement of April 23, 2014.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration Page 2, 4. Employees:
Enabling the Legal and Administrative Commission that was formed by the National Consensus Government to accomplish the task assigned to it, in accordance to what was stated in the National Accord in 2011, so that it would be able to overcome all obstacles facing its work, with an emphasis on displaying fairness towards all employees recruited before and after June 6, 2007 - in accordance with the laws and regulations that govern their work and in accordance with the recommendations of the committee.

Page 2-3, 4. Employees:
The two sides also call on the government to secure all the financial needs required to solve the problem of employees' salaries according to the recommendations of the committee. Also, the two sides call on the government to guarantee financial awards to employees in the Gaza Strip until the committee ends its work.

Page 3, 6. Committee of Public Freedoms [Joint Committee]:
The Public Freedoms Committee will be called to resume its work in the West Bank and Gaza. The Government will be asked to facilitate the work of the committee so that it would be able to carry out its duties as soon as possible.

Page 3, 7. Committee of Community Reconciliation:
The Committee for Community Reconciliation will be called to resume its work. The Government will be asked to support the work of the committee and provide it with all that is needed to make it successful.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights	Human rights and equality→Civil and political rights→Other Page 3, 5. Political Moves: While emphasizing commitment to the 2006 document of National Reconciliation and all its items, we support Palestinian political moves and efforts aimed at achieving the national goals of the Palestinian people at this stage, and which are contained in the document of National Reconciliation - namely, the liberation of the land, the removal of settlements and the evacuation of the settlers, the removal of the separation and annexation racist wall, the achievement of freedom, right of return, independence and self-determination, including the establishment of an independent state with full sovereignty on all Palestinian lands occupied in 1967, with its capital in Jerusalem, guaranteeing the right of return of refugees to their homes and the liberation of all prisoners and detainees.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/ access	Page 1, The two sides affirm their full support for the Government in its effort to end the blockade and resume work at all border crossings with the Israeli side in the Gaza Strip and the return of the employees at the crossings to work in order to facilitate people's movement and their trade, as well as bringing in materials required for the reconstruction of Gaza. Page 2, 2. Ending the Blockade and Reconstruction: ... We stress that the reconstruction also requires the opening of all border crossings with the Gaza Strip and facilitating the entry of construction materials.

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 Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 1, The two sides affirm their full support for the Government in its effort to end the blockade and resume work at all border crossings with the Israeli side in the Gaza Strip and the return of the employees at the crossings to work in order to facilitate people's movement and their trade, as well as bringing in materials required for the reconstruction of Gaza.

Page 1-2, 2. Ending the Blockade and Reconstruction:
We call on the international community to convene a conference of donors for the reconstruction of the Gaza Strip on October 12.

Page 2, 2. Ending the Blockade and Reconstruction:
We call on all institutions and relevant parties, especially the Palestinian Government, to quickly accomplish the plans for the reconstruction of Gaza, with priority given to rebuilding houses, schools and hospitals - that have a relief and humanitarian dimension - to provide shelter for the displaced.

Page 2, 2. Ending the Blockade and Reconstruction:
We affirm our full readiness to cooperate with the UN and its institutions while emphasizing the role of the Palestinian Government as the party responsible for the supervision and follow-up on reconstruction.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 1-2, 2. Ending the Blockade and Reconstruction:
We call on the international community to convene a conference of donors for the reconstruction of the Gaza Strip on October 12.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/ rights Land, property and environment→Land reform/rights→Other land rights
Page 3, 5. Political Moves:
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Pastoralist/ nomadism rights No specific mention.

Cultural heritage Land, property and environment→Cultural heritage→Tangible
Page 3, 5. Political Moves:
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Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees Page 1, Fatah and Hamas affirm the need for the National Consensus Government to accelerate the exercising of its security duties over the areas of the Palestinian National Authority in line with the laws and regulations, as stated in the reconciliation agreement of April 5, 2011.

The two sides stress the need for the Government to accelerate the exercising of its security duties, in accordance with the laws and regulations mentioned in the National Accord of 2011.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 1, 2. Ending the Blockade and Reconstruction:
The lifting of the siege and the reconstruction of the Gaza Strip is a top priority for our people and political forces. To this end, we reaffirm our commitment to consolidate the cease-fire in accordance with what was agreed upon in the indirect negotiations between the two sides under the auspices of the Egyptians.

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 Page 3, 5. Political Moves:
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Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation Page 1, Empowering the Government of National Consensus and its ministers, each in his field and in accordance with the powers and functions entrusted to him in the National Reconciliation Document which was signed on April 5, 2011 in line with the Basic Law of the Palestinian National Authority.

... Fatah and Hamas affirm the need for the National Consensus Government to accelerate the exercising of its security duties over the areas of the Palestinian National Authority in line with the laws and regulations, as stated in the reconciliation agreement of April 5, 2011.

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Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/
force/similar No specific mention.

Enforcement mechanism Page 4, 9. The Follow-Up Committee:
The two parties agreed to form a joint committee to follow up on the implementation of these understandings and previous agreements and work together to overcome the obstacles faced by the Government in its work.

Related cases No specific mention.

Source Abu Toameh, Khaled. 'Text of Fatah-Hamas Agreement', Jerusalem Post, 25 September 2014, <http://www.jpost.com/Arab-Israeli-Conflict/Text-of-Fatah-Hamas-agreement-376350>
