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Country/ entity	Israel Palestine
Region	Middle East and North Africa Middle East and North Africa
Agreement name	Protocol Concerning Safe Passage between the West Bank and the Gaza Strip
Date	5 Oct 1999
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Arab-Israeli Conflicts (1948 -))
Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Israel-Palestine peace process
Parties	Israel, signed for by Schlomo Ben Ami; PLO, signed for by Jamil Altarifi;
Third parties	-
Description	This agreement is pursuant to the Wye River memorandum of 23 October 1998 and the Sharm el-Sheikh Memorandum of 4 September 1999. It seeks to provides detailed modalities for the safe travel of persons between the West bank and the Gaza strip. It includes the need for safe passage cards, validation of such cards and issuance of safe passage permits thereafter.

Agreement document	IL_PS_991005_Regional_Protocol_Concerning_Safe_Passage_between_the_West_Bank_and_the_Gaza_Strip.pdf  Download PDF
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Groups

Children/ youth	<p>Groups→Children/youth→Substantive Page 4, 4. On-duty Palestinian policemen and minors under age 14, traveling in accordance with the provisions of paragraphs 7 and 3.1 below, respectively, shall not be required to receive a safe passage card for the use of safe passage.</p> <p>Page 5, I. 1. a. Minors under the age of 16 who are accompanied by a parent and registered in the identity card of that parent will not be required to carry individual safe passage cards. b. Such minors shall identify themselves via the identity card of the accompanying parent.</p> <p>2. a. Minors who are not accompanied by a parent may also use safe passage without carrying a safe passage card provided that: i. they are under the age of 14; and ii. they are accompanied by an adult (18 or over). b. Such minors shall identify themselves by means of a birth certificate or a certified copy of the parent's identity card in which they are registered.</p>
Disabled persons	No specific mention.
Elderly/age	<p>Groups→Elderly/age→Rhetorical Page 4, 3. Use of Safe Passage C. ... 5. Men over 50 and women shall generally receive their safe passage cards through the Palestinian side, except for special cases. The Israeli side will make all efforts to minimize such exceptions.</p>
Migrant workers	No specific mention.
Racial/ ethnic/ national group	No specific mention.
Religious groups	No specific mention.
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 Page 4, 3. Use of Safe Passage
3. C. 5. Men over 50 and women shall generally receive their safe passage
cards through the Palestinian side, except for special cases. The Israeli side
will make all efforts to minimize such exceptions.

Men and
boys Gender→Men and boys→Gender neutral wording
3. Use of Safe Passage
3. C. 5. Men over 50 and women shall generally receive their safe passage
cards through the Palestinian side, except for special cases. The Israeli side
will make all efforts to minimize such exceptions.

LGBTI No specific mention.

Family Page 5, I. 1. a. Minors under the age of 16 who are accompanied by a parent
and registered in the identity card of that parent will not be required to carry
individual safe passage cards.
b. Such minors shall identify themselves via the identity card of the
accompanying parent.
2. a. Minors who are not accompanied by a parent may also use safe passage
without carrying a safe passage card provided that:
i. they are under the age of 14; and
ii. they are accompanied by an adult (18 or over).
b. Such minors shall identify themselves by means of a birth certificate or a
certified copy of the parent's identity card in which they are registered.

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 No specific mention.

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 No specific mention.

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 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 No specific mention.

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 1-2, 2. General Provisions

A. Article X of Annex I, and the attached map No. 6 delineate two routes through which Israel will make safe passage available.

B. 1. Israel will ensure safe passage for persons and transportation during daylight hours (from sunrise to sunset) or as otherwise agreed, but in any event not less than 10 hours a day.

Page 2, 2. Travelers will be required to commence their journey as follows,

i. one and a half hours for travelers using private vehicles and taxis;

ii. two hours for commercial traffic and buses, before sunset on the day of the journey.

Page 1-2, 2. General Provisions

C. 1. Safe passage will be effected by means of privately owned road vehicles and public transportation, as detailed in paragraph 5 below.

2. Safe passage shall be via the following designated crossing points:

i. the Erez crossing point (for persons and vehicles only);

ii. the Karni crossing point (Commercial) (for goods only);

iii. the Tarkumya crossing point (for persons, vehicles and goods); and

iv. an additional crossing point around Mevo Horon.

D. 1. The safe passage arrangements will not be available on Yom Kippur, Israel's Memorial Day and Israel's Independence Day.

2. Both sides may make special arrangements for other designated days, as agreed between them.

Page 2, E. Israel shall signpost the safe passage routes clearly and shall take all necessary measures to ensure smooth movement while preserving safety and security on the route or routes in use on any specific day.

F. Except as provided in paragraph 3.H.2 below, the use of safe passage by residents of the West Bank and the Gaza Strip does not afford them license to be present in Israel except along the safe passage routes designated for their use.

Page 3, I. Nothing in this Protocol will be construed as derogating from Israel's right to apply inspection measures necessary for ensuring security and safety at the crossing points of the safe passage. Maximum efforts will be made to maintain the dignity of persons using safe passage and to implement inspection measures relying heavily on brief and modern procedures.

Page 3, H. Israel may deny the use of its territory for safe passage by persons who have seriously or repeatedly violated the safe passage provisions detailed in this Protocol or in the Agreement.

Israel will notify the Palestinian side, through agreed channels, of any decision to deny the use of its territory as a result of such violations. The notification shall include details of the violations giving rise to the denial. The individual in question shall have the right to request, through the Palestinian side, that Israel reconsider its decision.

... J. Israel shall notify the Palestinian side of incidents involving persons using safe passage routes through the agreed channels.

K. It is understood that the safe passage shall be operated on a cost-reimbursement basis, in accordance with an agreement on the modalities to be reached in the Joint Economic Committee.

L. Israel shall be compensated for damages incurred by Israel, Israelis or their property as a result of the use of safe passage, in accordance with an

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 No specific mention.

Business [Summary] Page 6, provision '5. Use of Vehicles on Safe Passage Routes' requires the registration of vehicles for taxi drivers and other private companies to allow for safe passage.

Page 9-10, 8. Use of Safe Passage for Commercial Traffic

A. Goods transferred to or from the Gaza Strip via the safe passage will enter or leave the Gaza Strip through the Karni (Commercial) crossing point.

B. Commercial vehicles carrying goods from the West Bank to the Gaza Strip via safe passage will travel along the relevant safe passage route as far as the Yad Mordechai Junction, and from there branch off to Karni as indicated on Map No. 6 (attached to the Agreement). Commercial vehicles carrying goods from the Gaza Strip to the West Bank will follow the same routes in reverse.

C. All provisions of this Protocol and the Agreement relating to use of vehicles on safe passage routes shall apply to the use of commercial vehicles.

D. The provisions in this paragraph 8 shall not prejudice any other mechanism established in the Agreement, or based on the Agreement, with respect to passage of goods.

E. Further details concerning commercial traffic will be agreed upon in a special sub-committee in the CAC. Until decided otherwise, the current arrangements adopted by the CAC concerning commercial traffic shall remain in effect.

Taxation No specific mention.

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 2,
G. Israel may, for security or safety reasons, temporarily halt the operation of a safe passage route or modify the passage arrangements while ensuring that one of the routes is kept open for safe passage. Notice of such temporary closure or modification shall be given to the Palestinian side, through agreed channels, as far in advance as the circumstances will allow.

Page 3, H. Israel may deny the use of its territory for safe passage by persons who have seriously or repeatedly violated the safe passage provisions detailed in this Protocol or in the Agreement.

Israel will notify the Palestinian side, through agreed channels, of any decision to deny the use of its territory as a result of such violations. The notification shall include details of the violations giving rise to the denial. The individual in question shall have the right to request, through the Palestinian side, that Israel reconsider its decision.

... J. Israel shall notify the Palestinian side of incidents involving persons using safe passage routes through the agreed channels.

Page 6, 3. Use of Safe Passage, J. Persons and vehicles shall not carry explosives, firearms or other weapons or ammunition except for special cases that may be agreed by both sides. Transportation of dangerous substances shall be in accordance with the provisions of the Agreement.

Ceasefire	No specific mention.
Police	<p>Page 4, 4. On-duty Palestinian policemen and minors under age 14, traveling in accordance with the provisions of paragraphs 7 and 3.I below, respectively, shall not be required to receive a safe passage card for the use of safe passage.</p> <p>Page 5, 3. Use of Safe Passage, H. 3. In the case of a technical breakdown, travelers must remain on the safe passage route with their vehicles until the arrival of the Israeli police and follow their instructions. In addition, travelers may stop another vehicle using safe passage and request the driver to inform the authorities at the destination crossing point of the case.</p> <p>Page 9, 7. Passage of Palestinian Police</p> <p>A. In accordance with paragraph 2.g, Article X of Annex I, uniformed and plainclothes Palestinian policemen required to use the safe passage so as to perform their duty in the West Bank and the Gaza Strip, or Palestinian policemen other than in instances covered by paragraph 7.E below, using privately owned vehicles, official vehicles or other means of transportation, will be able to use the safe passage after the Palestinian police has submitted an application and after that application was approved, through the relevant DCO two working days prior to the planned journey.</p> <p>B. Palestinian policemen provided for in paragraph 7.A above and Palestinian police vehicles and equipment moving between the West Bank and the Gaza Strip via safe passage shall be escorted by Israeli security forces vehicles.</p> <p>C. When in safe passage, the weapons of the Palestinian policemen will be handed over to the Israeli police and placed in a closed trailer affixed to the Israel police vehicle. A Palestinian policeman may travel in the aforementioned Israeli police vehicle. The vehicle shall be driven by a member of the Israeli police. Upon completion of the safe passage journey the weapons shall be handed over to the Palestinian officer in charge in the DCO.</p> <p>D. Cases of usage of safe passage by Palestinian policemen requiring special attention and arrangements will be dealt with and coordinated through the Joint Coordination and Cooperation Committee for Mutual Security Purposes (JSC).</p> <p>E. The provisions set out in this Protocol and in the Agreement relating to regular persons will apply to Palestinian policemen using safe passage when off duty. Such policemen may only use safe passage when unarmed and out of uniform.</p>
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 No specific mention.

Enforcement mechanism Page 10, 9. Future Meetings for Improving Operation of the Safe Passage: A Continuing Safe Passage Committee shall meet regularly to supervise the implementation of this Protocol and to discuss ways to improve the safe passage operation, as agreed between both sides.

Related cases No specific mention.

Source UN Peacemaker - <http://peacemaker.un.org/>; http://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_991005_Protocol%20Concerning%20Safe%20Passage%20between%20the%20West%20Bank%20and%20the%20Golan%20Heights%20Protocol.pdf
