

Criminal complaint filed against CAF's Board of Directors for its role in the Jerusalem Light Rail Train

On 18 February 2026, a coalition of civil society organisations filed a criminal complaint with the Public Prosecutor's Office against the Board of Directors of *Construcciones y Auxiliar de Ferrocarriles* (CAF) for the company's involvement in the construction, operation, and maintenance of the Jerusalem Light Rail (hereinafter, the JLR). The coalition includes **NOVACT, the Palestinian Community of Catalonia, the Committee of Solidarity with the Arab Cause, ODESCA, Paz con Dignidad, and SUDS** represented by **Centro Guernica 37**.

Since 2019, CAF has made a substantial contribution to the construction, operation, and maintenance of the Jerusalem Light Rail. **Its scope includes [extending the Red Line and building the Green Line](#), supplying and refurbishing tram units, delivering signalling/energy/communications systems, as well as operating and maintaining both lines for the next 15–25 years.**

This infrastructure [directly sustains Israel's illegal settlement enterprise in occupied East Jerusalem](#) by connecting Israeli settlements to one another and to West Jerusalem. **By improving access for Israeli settlers, it increases the residential appeal and economic viability of the settlements, reinforcing their expansion and densification and further integrating them into Israel.** As such, it entrenches spatial fragmentation of Palestinian neighbourhoods into isolated enclaves, consolidating Israel's unlawful annexation, occupation and apartheid regime.

Through its long-term contractual role in delivering and operating the JLR, CAF provides ongoing, material support to a transport system embedded in an unlawful settlement environment, linked to land appropriation and segregation. **On that basis, the complaint argues that CAF's directors should be held accountable for authorising and overseeing conduct that allegedly amounts to the transfer of an Occupying Power's civilian population into occupied territory, the maintenance of a discriminatory regime, and contribution to grave breaches of the Fourth Geneva Convention.**

CAF's involvement in the Jerusalem Light Rail

CAF, in consortium with the Israeli company Shapir, has played a central role in the development and operation of the Jerusalem Light Rail (JLR), **providing key services without which the project would not have reached its current stage.**

Under the [J-Net concession contract awarded in 2019](#), CAF is responsible for extending the Red Line and constructing the Green Line, including approximately 27 km of new track and dozens of stops, as well as

supplying 114 new tram units and refurbishing 46 existing ones. The contract also covers the provision of signalling, energy, and communication systems, as well as the integration of the entire project.

Through its joint venture LAVI Light Rail O&M, in which [CAF holds a 50% stake](#), the company is further [responsible for operating both lines](#) for 15 years (extendable to 25) and maintaining them for up to 25 years.

The scale and scope of these responsibilities demonstrate that CAF's involvement is structural and indispensable to the functioning and expansion of the JLR.

The Jerusalem Light Rail Train: an instrument of apartheid and annexation

Israel routinely presents the Jerusalem Light Rail as a modern mobility project. In reality, **it is designed to integrate unlawful Israeli settlements in occupied East Jerusalem into West Jerusalem's urban core, supporting the establishment, maintenance and expansion of Israeli settlements on occupied Palestinian land.**

By connecting and integrating these illegal settlements while deepening Palestinian displacement and fragmentation, it reinforces a regime of unequal rights and domination. The Jerusalem Light Rail reinforces a dual urban reality in which Palestinians are routinely discriminated against. It entrenches a system in which people living in Jerusalem experience fundamentally different rights and access on discriminatory grounds, further advancing Israel's settler-colonial apartheid agenda.

Apartheid is a system of institutionalised racial domination maintained through systematic oppression and discrimination. Settlements — to which the Jerusalem Light Rail contributes — are among the most extreme manifestations of apartheid.

Even though the discriminatory framework cannot be reduced to the placement of stops - and **adding more stations in Palestinian areas would not remedy the underlying structural discrimination** - the distribution of stations is still indicative of the project's priorities. Approximately [83% of the Red Line serves illegal settlements](#) (of 33 stops, only 6 serve Palestinian neighbourhoods); when finalised, 94% of the Green Line will serve illegal settlements (of 33 planned stations, only 2 serve Palestinian neighborhoods). Moreover, the stops located in or near Palestinian neighbourhoods were not planned with the aim of meeting Palestinian mobility needs; rather, they were placed there because these areas are adjacent to, or lie along the routes leading to, illegal settlements.

What are Israel's illegal settlements in the occupied West Bank, including East Jerusalem?

Israeli settlements are Israeli communities built and expanded by Israel in the occupied Palestinian territory since 1967, primarily in the occupied West Bank, including East Jerusalem. In practice, they

range from large, planned “cities” or “towns”, to “neighbourhoods” or “small enclaves”. They are sustained by a wider apparatus involving the seizure of Palestinian land and its allocation to Israeli settlers, planning and construction approvals by Israeli authorities, state incentives, security protection, and supporting infrastructure (roads, utilities, checkpoints and transport links).

At least [736.000 settlers](#) live in illegal settlements in the occupied Palestinian West Bank, including East Jerusalem. The residents of illegal settlements and “outposts” in the occupied Palestinian territory (“settlers”) are primarily Israeli citizens, but also include non-Israeli Jewish settlers who are eligible for Israeli citizenship under Israeli law.

Settlements, along with their supporting infrastructure and network of roads, sever the territorial contiguity of the West Bank, fragmenting Palestinian communities and severely infringing Palestinians’ right to self-determination. The establishment and maintenance of these settlements constitute breaches of international law and are sustained through violent acts, including land appropriation, destruction of property, intimidation, the forced displacement of Indigenous Palestinians and the act of settler transfer. Settlements are built through the expropriation of Palestinian land and the forcible displacement of Palestinians from their homes.

Israel’s settlement enterprise operates broadly through a dual discriminatory regime: settlers benefit from planning and infrastructure investment, while Palestinians face restrictive planning, military and administrative controls, and demolitions. This model **creates unliveable conditions that push Palestinians out**, forcing them to relocate, while the benefits and incentives granted to Jewish settlers constitute pull factors that encourage them to move to and reside in these illegal settlements. This **combination of pushing and pulling factors serves the objective of maintaining Israeli domination over Palestinians and consolidating Israel’s occupation** of Palestinian land including the annexation of East Jerusalem.

The international community has consistently reiterated that these settlements are unlawful under international law, as [Article 49\(6\) of the Fourth Geneva Convention](#) prohibits an Occupying Power from transferring parts of its own civilian population into the territory it occupies. The [advisory opinion of the International Court of Justice](#), dated 19 July 2024, affirms the **illegality of Israel’s presence in the entirety of the occupied Palestinian territory, including its military presence, illegal settlements and control over infrastructure and resources**. The ICJ referred to racial segregation and apartheid, violations of the right to self-determination and the prohibition on the acquisition of territory through the use of force.¹ In paragraph 278 of the Opinion, the Court affirmed that states have a duty to prohibit trade with illegal Israeli settlements and to refrain from any act that would contribute to Israel’s illegal presence in the occupied Palestinian territory. This duty is directly enshrined in international law.

UN bodies have repeatedly affirmed that East Jerusalem remains occupied Palestinian territory, and have condemned measures aimed at altering its demographic composition and institutional character.

Israel's occupation is part of a settler-colonial system of domination, land theft and segregation, and is unlawful.

The economic and territorial consequences: colonial facts on the ground

The Jerusalem Light Rail **reshapes the city of Jerusalem** and cements Israel's decades-old system of expropriation of Palestinian land, its unlawful occupation, its system of apartheid, and makes occupied East Jerusalem's illegal annexation permanent.

Settlements become more attractive — and more permanent

The JLR improves accessibility to Israel's illegal settlements, increasing their residential appeal and supporting their consolidation and expansion. **Israel has an explicit urban-planning approach to densify around light rail corridors, described in Jerusalem planning as a "[Light Rail Policy](#)" that promotes demographic densification along the rail axes through "urban renewal".**

***De jure* annexation and fragmentation**

CAF is operating and expanding the JLR's "Red Line" and is building the new "Green Line", providing rolling stock and technical services. Both lines connect illegal Israeli settlements in the occupied Palestinian territory with West Jerusalem. As such, the JLR contributes to Israel's illegal *de jure* annexation of East Jerusalem and facilitates the expansion of illegal Israeli settlements.

These [Israeli settlements were built on confiscated land](#) belonging to Palestinian localities in and around occupied East Jerusalem, such as Beit Hanina, Shu'fat, Hizma, Sheikh Jarrah and 'Isawiya, among others.

In the two weeks following the 1967 war, [Israel unilaterally annexed approximately 70.5 km²](#) of West Bank land in and around Jerusalem, including large areas belonging to 28 Palestinian villages, and extended its law, jurisdiction and administration to that territory. These measures are widely regarded as constituting unlawful annexation under international law. A key mechanism later used in relation to Palestinian property in East Jerusalem was [Israel's 1950 Absentees' Property Law](#), enacted in the aftermath of the 1948 mass forced displacement of Palestinians - known as the Nakba (the catastrophe in Arabic), following the creation of the State of Israel. The law classifies property belonging to Palestinians who were displaced or who remained outside the areas brought under Israeli control as "absentee property", placing it under the authority of the Israeli Custodian of Absentee Property and thus illegally depriving Palestinians of their rights to their property ever since. In East Jerusalem, the application of this law, together with subsequent legislation and expropriation measures, has facilitated the confiscation and transfer of Palestinian property. Israeli authorities have, to this day, continued to consolidate their control over East Jerusalem, both physically and politically.

Selective “urban renewal”

Investment and renewal is directed primarily toward sections serving Israeli illegal settlements, reinforcing discriminatory patterns in planning, services and development.

A specific urban planning policy in Jerusalem—explicitly known as the “Light Rail Policy” —aims to increase building rights and demographic density along light rail corridors through so-called “urban renewal.” In July 2016, Israel’s Jerusalem District Planning and Construction Commission, in cooperation with the Jerusalem Municipality, adopted a [policy to increase building percentages along the light rail routes](#) in order to create an “urban skeleton” guiding the city’s development and densification over the coming decades. The policy promotes the demolition of existing buildings and their replacement with new ones, although it can also apply to building extensions and additions located along the light rail axes.

How CAF operates the “apartheid train”: subsidiaries, joint ventures, long-term control

CAF participates through subsidiaries and joint ventures in Israel, including operational and maintenance roles. The core point is CAF’s Board of Directors can and must be held accountable for operating and maintaining the Jerusalem Light Rail Train.

This is long-term involvement sustaining Israel’s settlement enterprise:

- CAF and partners won the tender contract for the construction of the JLR in 2019.
- The project includes long-term operation and maintenance arrangements, with maintenance services extending up to 25 years.
- The Green Line construction is ongoing, alongside the expansion/operation of the Red Line.

CAF’s corporate structure is organised around its parent company, Construcciones y Auxiliar de Ferrocarriles, S.A. (CAF, S.A.), based in Beasain (Spanish State). Beneath the parent company are several subsidiary entities, including CAF Investment Projects, S.A. (Beasain), CAF Turnkey & Engineering S.L. (Zamudio), CAF Signalling S.L. (Donostia), and CAF Israel Ltd. (Ramat Gan, Israel).

Through this structure, CAF participates directly in the Jerusalem Light Rail project via two key project companies in Jerusalem: CFIR Light Rail Ltd., responsible for the implementation of the J-Net project, and LAVI Light Rail O&M Ltd., responsible for its operation and maintenance. CAF holds a 50% stake in LAVI Light Rail O&M Ltd., operating as a joint venture, which implies shared liability, while maintaining full ownership over its subsidiary companies.

Why Spain has jurisdiction — and obligations to stop CAF’s complicity

Spanish courts are being called upon to act because CAF is a Basque multinational registered in Spain, and its corporate decisions and governance bodies are based in the Spanish state under Spanish law and

subject to Spanish jurisdiction. The company's strategic decisions, corporate governance, and executive responsibilities are rooted in Spain. This establishes a clear jurisdictional link and engages Spain's legal obligations under both domestic and international law.

Under [international humanitarian law](#), states have a duty not only to refrain from committing violations themselves, but also to take all measures within their power to prevent and address violations committed by actors under their jurisdiction. This obligation includes ensuring that corporations domiciled or operating from their territory do not contribute — directly or indirectly — to unlawful acts, including racial segregation and apartheid, and the transfer of settlers to colonise occupied territory.

The complaint submitted to the Spanish judicial authorities argues that CAF's activities in relation to the Jerusalem Light Rail allegedly contribute to:

- the consolidation of Israel's illegal annexation of occupied East Jerusalem;
- the maintenance and expansion of Israel's illegal settlements in occupied Palestinian territory;
- the maintenance of discriminatory and inhuman practices by Israel against Palestinians

Spain has jurisdiction in this matter because:

- CAF's corporate decision-making and governance structures are based in Spain;
- the company operates "in and from Spain" through Spanish nationals, executives and corporate entities who may be held accountable for decisions taken at board and management level;
- Spanish institutions have a positive obligation to ensure that companies under their jurisdiction do not contribute to breaches of international humanitarian law.

This case therefore concerns not only corporate conduct abroad, but also Spain's responsibility to ensure compliance with international law by entities operating within its jurisdiction.

The legal basis: alleged participation in crimes under Spanish criminal law

The complaint submitted in Spain relies on the [Spanish Criminal Code](#) provisions relating to crimes allegedly committed against protected persons and property in an armed conflict, including:

- **Article 611.5:** the transfer and settlement, directly or indirectly, of the Occupying Power's population into occupied territory;
- **Article 611.6:** the maintenance of racial segregation and other inhuman/degrading practices based on discriminatory distinctions, amounting to an outrage upon personal dignity;
- **Article 614:** the commission of breaches or acts contrary to the 1949 Fourth Geneva Convention.

The complaint is directed at CAF's senior leadership, as well as relevant subsidiaries, for their participation since 2019 to the present in constructing, maintaining and operating a rail system designed to connect Israel with illegal settlements in occupied East Jerusalem — thereby allegedly facilitating settlement consolidation, demographic engineering and segregation.

CAF Board of Directors' knowledge and continued participation in an unlawful project

CAF's involvement in the JLR has taken place despite sustained and repeated warnings regarding the illegality of the project and the associated legal and reputational risks.

As early as January 2019, [CAF's own Workers' Council in Beasain unanimously called on management to withdraw from the project](#). Following the formal adjudication of the J-Net contract to the CAF–Shapir consortium in August 2019, concerns escalated rapidly. In December 2019, the [Comité de Solidaridad con la Causa Árabe \(CSCA\) filed a complaint before the Spanish National Contact Point](#) alleging breaches of the OECD Guidelines.

In 2020, warnings and pressure intensified. In February 2020, [70 Basque organisations publicly urged CAF to withdraw](#). That same year, following Palestinian condemnation of CAF's involvement in the JLR, 70 rights advocates in the Basque Country officially launched the international campaign "CAF get off Israel's apartheid train." As part of this campaign, grassroots and human rights organisations have mobilised pressure on public institutions to refrain from contracting CAF until it respects Palestinian human rights and ends its involvement in Israel's illegal settlement enterprise. For years, concerned CAF shareholders have also called on fellow shareholders to end the company's involvement in the JLR during CAF general assemblies.

Shapir Engineering, which is in consortium with CAF to expand the JLR, has been listed in the [UN database since 2020](#). By December 2020, [31 organisations had called on the United Nations to include CAF in its database](#) of companies involved in settlement-related activities.

In 2021 [campaigners in the UK called on HS2](#), the public company building a high-speed rail link across England, to exclude Spanish train maker CAF from the public tender for HS2 rolling stock.

In 2021 and 2022 there was sustained campaigning by civil society and the biggest union in Norway [calling for the company Norske Tog not to award public tenders to CAF](#).

In May 2022, the [Spanish National Contact Point](#) concluded that Israeli settlements violate international law and explicitly recommended that CAF assess the damage and violations of human rights caused by its business with the JLR.

In 2023, Amnesty International Spain published the report “CAF's Jerusalem tramway: next stop, apartheid” and organised a conference on “CAF and its controversial involvement in the Jerusalem Light Rail project.”

On 12 June 2024, [18 Palestinian and European NGOs, submitted yet again new information](#) to the Office of the UN High Commissioner for Human Rights (OHCHR) on why CAF had to be included in the UN database.

In June 2024, the vice-rector of the Gipuzkoa campus of the University of the Basque Country (UPV/EHU) [declared](#) that the university will not sign any new agreement with the Basque transport firm CAF as long as it continues to be involved in the Jerusalem light rail project that serves Israel's illegal settlements in Jerusalem.

These warnings were further reinforced at the international level in September 2024, when the UN General Assembly adopted a resolution calling on states to suspend trade relations contributing to Israel's unlawful occupation. That same month, Norwegian financial services company [Storebrand excluded CAF from its investment portfolio](#) due to activities related to the occupied Palestinian territory (oPt). Despite this mounting body of internal, civil society, financial, and institutional warnings, CAF proceeded with the project, culminating in the inauguration of the extended Red Line on 9 March 2025.

In August 2025, [a coalition of NGOs intervened before the Belgian Council of State, demanding the exclusion of CAF](#) from the the Belgian public railway operator SNCB/NMBS's multi-billion-euro train contract with CAF due to its involvement in activities in the occupied Palestinian territory, arguing that awarding such a contract would be contrary to international law and set a dangerous precedent for public procurement. The UN Special Rapporteur Francesca Albanese wrote a letter to the train operator as well as the relevant minister to call on them to exclude CAF from the public tender.

In September 2025, Imanol Pradales, the President of the autonomous Basque government, [asked CAF for an ethical reflection](#) on its role in the Jerusalem Light Rail.

Later on, in **September 2025, CAF was formally included in the UN database of companies involved in activities in Israeli settlements and following this, [the municipality of Oslo and Sporveien Oslo AS](#)** (municipally owned public transport operator in Oslo) announced they would reconsider buying the remaining car sets in their contract with CAF. 24 September 2025 [CAF responded to its inclusion in the UN database](#).

CAF was also referenced in the report of the UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Francesca Albanese, “[From economy of occupation to economy of genocide](#)” (Human Rights Council, 59th session), where **CAF is referred to as a company that contributes to the expansion of settlements and excludes Palestinians.**

More recently, in the report “Pull the plug on the political economy enabling Israel’s crimes: What states and companies must do to stop fueling Israel’s genocide, apartheid and unlawful occupation,” Amnesty International calls on all states, public institutions and companies to [use their leverage to stop further provision of goods and services by CAF to the JLR network](#), and calls on states and public institutions to ensure that CAF is barred from any activity that involves bringing their materials and services to their market, including but not limited to banning their participation in trade shows, such as fairs and exhibitions, government meetings, contracts, and participation in research grants and activities with public bodies relating to transportation materials and services.

CAF’s Board of Directors has been repeatedly put on notice regarding the unlawful nature of its involvement, yet has continued its participation regardless.

Legal steps

On 18 February 2026, as noted above, a coalition of civil society organisations filed a criminal complaint with the Public Prosecutor’s Office against CAF’s Board of Directors.

Afterwards, Amnesty International Spain sent a letter to the Prosecutor requesting that the complaint be investigated.

Later on, the Public Prosecutor’s Office confirmed that it had received the complaint and opened an investigation.

The organisations behind the complaint are calling on the Prosecutor, in light of the evidence submitted and the findings of the investigation, to refer the case to the National Court and bring it before the court.

Should the Prosecutor decline to take the case forward, Palestinian organisations — acting as aggrieved parties — will pursue further legal avenues, including the initiation of judicial proceedings to ensure accountability and the effective enforcement of international humanitarian law and Spanish criminal law.

Moving towards accountability

The criminal complaint filed with the Office of the Prosecutor raises a defining issue for accountability: whether CAF’s directors can lawfully authorise and oversee the construction, expansion, and long-term operation of infrastructure that supports illegal Israeli settlements on occupied land, reinforces structural discrimination, racial segregation and apartheid, and contributes to the consolidation of an unlawful annexation—without legal consequences.

Since 2019, Palestinian civil society, together with grassroots organisations and wider civil society in the Basque Country and internationally, has called on CAF to withdraw from the JLR in order to avoid complicity in human rights violations.

The complaint filed in Spain seeks to activate judicial scrutiny over CAF's conduct, to bring its involvement in the Jerusalem Light Rail project to an end, and to secure guarantees of non-repetition and reparation.

Infrastructure projects such as the Jerusalem Light Rail are designed to integrate illegal settlements into Israel's urban and economic system, making annexation materially entrenched and increasingly irreversible. **Ensuring accountability in this case is therefore essential not only to address past and ongoing harm, but also to prevent the further consolidation of an unlawful situation under international law.**

This complaint is filed at a time when Israel is under investigation before the International Court of Justice for the crime of genocide. According to official data, Israel has killed over 70,000 Palestinians in the Gaza Strip, while settler violence in the occupied Palestinian territory has reached unprecedented levels.

At the heart of this case lies a **broader question of accountability: whether private actors**, acting within Spain's jurisdiction, can profit from projects that sustain and normalise an internationally unlawful situation, by helping to create "facts on the ground" that alter the geography, demography and political future of an occupied territory.