

Executive summary on CAF submission to the OHCHR

The Jerusalem Light Rail and CAF

In 2019, the Jerusalem Transportation Masterplan Team (the Israeli public entity entitled to manage the public transport in Jerusalem, in conjunction with the Israeli Jerusalem municipality and the Israeli Ministry of Transport), awarded a €1.8bn contract for the expansion of Israel's Jerusalem Light Rail (JLR) system to the TransJerusalem J-Net Ltd, a consortium established by the Israeli construction company Shapir, Superbus and CAF. Shapir is one of the 112 companies listed in a UN database of businesses involved in Israel's illegal settlements.

The project in question includes the extension of the existing 'Red Line' and the construction of a new 'Green Line' of the JLR, as well as the supply of vehicles and technical services for the maintenance of the transportation network. The existing 'Red Line' and the planned extensions aim to connect illegal Israeli settlements in occupied East Jerusalem with each other, as well as with the western part of Jerusalem and Israel.

The existing 'Red Line' serves the illegal Israeli settlements of Giv'at Shapira, Givat HaMivtar and Pisgat Ze'ev in occupied East Jerusalem. The project in which CAF is currently involved will extend the 'Red Line' to the settlement of Neve Yakov in East Jerusalem. The new 'Green Line' to be constructed will connect the Hebrew University's Mount Scopus campus in East Jerusalem to the Gilo settlement to the South of Jerusalem, intersecting with the 'Red Line' at the settlement of Giv'at Shapira. The new line will also benefit other illegal settlements in its vicinity, including the new Givat Hamatos settlement that has been approved for construction.

East Jerusalem: Occupation and Annexation

Israel militarily occupied and then annexed East Jerusalem in 1967 by extending its domestic law, jurisdiction and administration to the occupied city. In 1980, Israel formally claimed sovereignty over the city through the adoption of its "Basic Law: United Jerusalem, Capital of Israel" - contrary to international law.

Since 1967, the UN Security Council has repeatedly condemned Israel's annexation of occupied East Jerusalem and the establishment of settlements there and elsewhere in the OPT as constituting grave violations of international humanitarian law. In 1980, the UN Security Council declared null and void all the measures taken by Israel to change the status of Jerusalem, explicitly deeming the "Basic Law: Jerusalem, Capital of Israel" contrary to international law, while also calling on all States not to provide any assistance to Israel's illegal settlements.

Various competent UN bodies have concluded on numerous occasions that Israel's illegal settlements and annexation policy in the OPT, including East Jerusalem, deprive Palestinians of protections and rights guaranteed under international humanitarian and human rights law.

CAF: involvement in violations of international law in the Occupied Palestinian Territory

The JLR contributes substantially to the maintenance and expansion of Israel's illegal settlements in occupied East Jerusalem and to the entrenchment of Israel's illegal annexation of the city. This is done by facilitating mobility among the settlements and connecting them to West Jerusalem and Israel.

The JLR enhances the quality of life in the settlements, fosters and facilitates the movement of Israeli settlers, and deepens the physical, social and economic integration of the settlements into Israel. All this ultimately consolidates Israel's annexation of occupied Palestinian territory contrary to international law, including Article 47 of the Fourth Geneva Convention prohibiting annexation during belligerent occupation.

The illegal settlement enterprise, which is established, led and maintained by the State of Israel and supported and facilitated by non-state actors, including the private sector and business enterprises, seriously undermines an array of fundamental human rights for the Palestinian people. This includes fundamental human rights of Palestinians to self-determination, freedom of movement, property, family, home, health, education, work and an adequate standard of living.

Given the above, due to its involvement in the JLR extension in occupied territory, CAF is involved in economic activities and relationships that contribute to the maintenance of Israel's illegal settlement enterprise, continued occupation and annexation of occupied East Jerusalem.

CAF's economic activities linked to grave breaches of international law committed by Israel -- i.e., the settlement enterprise and associated violations -- infringe upon Palestinian rights, including the principle of permanent sovereignty, and disrupt the OPT's territorial integrity. CAF is therefore involved in gross and systematic violations of fundamental human rights including humanitarian law violations against Palestinians, a protected population under the Fourth Geneva Convention, and accordingly should be held to account.