

ARTICLE

AUGUST & DEBOUZY ADVISE VEOLIA TRANSPORT ON THE LAWSUIT BETWEEN VEOLIA, ALSTOM AND THE PALESTINE LIBERATION ORGANISATION

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In a case which has lasted over four years, the Nanterre Civil Court (Tribunal de Grande Instance) has just ruled that the French companies Veolia Transport, Alstom and Alstom Transport's membership of an Israeli consortium in charge of building and operating the **Jerusalem light rail system** did not constitute a violation of public international law.

In February 2007, the French association France Palestine Solidarité (AFPS), joined several weeks later by the Palestine Liberation Organisation (PLO), sued the French companies before the Nanterre Civil Court requesting that they be prohibited from participating in the consortium and arguing that the light rail project violated various rules of public international law regarding, inter alia, the status of the areas beyond the East Jerusalem "Green Line" as "occupied territories".

The discussions pertained to the application of the rules of public international law as well as to the route of the light rail system, the conditions of its construction along pre-existing roadways and how it was perceived by local populations. In its judgment, the Nanterre Civil Court first excluded the application of the rules of public international law invoked by the PLO and AFPS to private companies. However, the Civil Court also confirmed that neither the signature of the concession agreement by these companies and their subsidiaries, nor the route and operating conditions of the light rail system constituted a fault under Article 1382 of the French Civil Code, as claimed by AFPS and PLO. Finally, the Court dismissed the voluntary joinder of the PLO in this case. AFPS and the PLO have lodged an appeal against this judgment.

August Debouzy, with **Flore Poloni** (associate), acted for Veolia Transport.

