

I.C.J.

Communiqué No. 59/2
(Unofficial)

On February 13th, 1959, the French Ambassador to the Netherlands filed in the Registry of the Court an Application by his Government instituting proceedings against the Government of the Republic of Lebanon.

The Application sets forth that in accordance with the terms of their constitutional instruments, the Compagnie du Port, des Quais et des Entrepôts de Beyrouth and the Société Radio-Orient enjoyed certain customs and tax exemptions in Lebanon during the life of their concessions. The Lebanese Government having, on July 26th, 1956, enacted a law providing for the imposition of income tax and other fiscal and municipal taxes on all companies enjoying an exemption under agreements ratified by special legislation, the French Government considers that this constitutes a unilateral alteration of the position of the companies concerned, which is contrary to the Agreement of January 24th, 1948, between France and the Lebanon.

The Application concludes by asking the Court to adjudge and declare that the unilateral alteration of the concessions envisaged is contrary to that Agreement, that the Lebanese Government has accordingly failed to carry out the obligation to negotiate assumed by it, that, in refusing to cooperate in the proposals for arbitration put forward by the companies concerned, the Lebanese Government has failed to perform the obligation assumed by it in the Agreement of January 24th, 1948, to continue to respect the constitutional instruments of the French companies in force on January 1st, 1944, that it has thereby engaged its international responsibility, that it is not entitled to alter the position of the companies otherwise than as the result of an agreement or of arbitration, and that it is under an obligation to make good the damage suffered by the Compagnie du Port and the Société Radio-Orient.

The Hague, February 16th, 1959
