



St. Gallen, 26 February 2020

## **Press Release**

**regarding judgment A-2229/2019 of 19 February 2020**

### **Building permit issued for the Vigie-Gonin road link**

**The Federal Administrative Court dismisses the appeal against the construction of the Vigie-Gonin road link. The construction of the Vigie-Gonin road link to put the t1 in exclusive right-of-way on the Rue de Genève justifies the clearing of the Flon forest.**

As part of the Lausanne-Morges Conurbation Project, Transport Lausanne (TL) is developing a network of major routes to improve mobility throughout the canton. On 7 March 2016, the Federal Office of Transport (FOT) approved the plans for the Renens-Gare Lausanne-Flon tram route (t1), the Prélaz-les-Roses Saint-François High Quality Public Transport (HQPT) bus and the garage workshop (GAT).

#### **Appeal by Transport Lausanne accepted**

With judgment A-2465/2016 of 2 February 2018, the Federal Administrative Court (FAC) had dismissed eight appeals lodged against this decision but had accepted one. By this admission, the FAC maintained that the FOT had not formally approved the Vigie-Gonin road link, did not have the jurisdiction to do so and that consequently, the clearing of the Flon forest had been ordered in violation of its jurisdiction (see press release of 6 February 2018). TL had lodged an appeal against this judgment. The Federal Supreme Court (judgment 1C\_125/2018 of 8 May 2019) has accepted TL's appeal, judging that the plans for the Vigie-Gonin road link had been approved by the FOT, classifying the Vigie-Gonin road link as a railway installation and referring the case back to the FAC to examine whether the clearing of the forest brought about by the construction of the viaduct was in accordance with the law.

#### **Clearing of the Flon forest authorised**

In its judgment of 19 February 2020, the FAC judged, among other things, that the legal conditions for authorising the clearing of the forest required by TL had been met. In particular, the function of the road link determined its location in the Flon forest, and the rules of land use planning and nature and landscape protection are respected. The clearing will not cause serious damage to the environment and respects the principle of proportionality. Finally, the clearing will

be sufficiently compensated on the territory of the municipality of Lausanne itself.

This judgment may be appealed to the Federal Supreme Court.

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### **About the Federal Administrative Court**

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 355 employees (305.5 FTE) and its 76 judges (68.4 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 7,500 judgments every year.