

The conciliation hearing in October 2022 concluded without results. Now, four residents of the **Indonesian island Pari**, the existence of which is under threat, are taking the Swiss cement corporation Holcim to court. They are demanding compensation for **climate damages** suffered, a financial contribution to flood-protection measures, as well as the rapid reduction of Holcim's **CO2 emissions**.

For the first time, a **Swiss company** must answer for its role in contributing to **climate change** in court. The world market leader in the cement branch is doing too little to reduce its emissions so that global warming does not exceed 1.5 degrees - and its actions come too late. This is substantiated in a new analysis on Holcim's climate strategy.

Pak Arif's home, the Indonesian island Pari, was flooded on five separate occasions last year. Water had already forced its way into his house in winter 2021, causing major damage.

"It gets worse every year," says Arif. To the 52-year-old mechanic, the reason is clear: "Because of climate change the sea levels are rising, and during storms our flat island has become increasingly flooded."

This threatens his livelihood, as well as those of all **1500 people living on Pari** - even though they have done nothing to contribute to the warming of the climate.

Arif, Asmania, Bobby and Edi are fighting back against this injustice. Last year in July, the four residents of Pari filed an application for conciliation in Zug, Switzerland, the location of Holcim's headquarters. But, during the conciliation proceedings, Holcim made no indication that it was willing to address their concerns. Therefore, on 30 January 2023, the four complainants filed a complaint against the corporation on behalf of the entire island at the Cantonal Court of Zug.

"Our existence is under threat," says Asmania. "We want those responsible to now **finally take action.**"

### **First climate litigation against a Swiss company**

The complainants are demanding proportional compensation for climate damages they have suffered and for Holcim to contribute financially to flood-protection measures. In addition, they are demanding that Holcim reduce its **CO2 emissions by 43% by 2030 and by 69% by 2040**, compared to the company's 2019 emissions. This would be in alignment with the target established in the Paris Climate Agreement to limit global warming to 1.5 degrees. Swiss Church Aid (HEKS), the European Center for Constitutional and Human Rights (ECCHR) and Friends of the Earth Indonesia (WAHLI) are supporting the complaint by the four Indonesians with the campaign Call for Climate Justice.

The submission of the complaint from Indonesia heralds the first formal civil proceedings in Switzerland against a corporation for its contribution to climate change. The four Indonesian complainants are suing for infringement on personality rights (ZGB 28) resulting from past, ongoing and future excessive CO<sub>2</sub> emissions on the part of Holcim, which have led and will lead to damages (OR 41) on the island. Additionally, a study by the Global Climate Forum (in German only) now proves that the damages on Pari island are caused by global warming.

### **Too little too late**

Holcim is the global leader in the manufacture of cement, the basic material of concrete, and one of the **50 largest emitters** of CO<sub>2</sub> out of all companies worldwide. In the production of cement, enormous quantities of CO<sub>2</sub> are released. According to one study, between 1950 and 2021, the Swiss corporation released more than 7 million tons of CO<sub>2</sub>. That amounts to 0.42% of all global industrial CO<sub>2</sub> emissions since the year 1750 – or more than double as much as all of Switzerland released during the same period of time. Therefore, Holcim bears a significant share of the responsibility for the climate crisis and for the situation on Pari Island.

Holcim's current climate targets are also far from sufficient in order to achieve the agreed upon goal of the [Paris Climate Agreement](#) to limit global warming to **1.5 degrees**. This is confirmed in an analysis on the current climate strategy of the corporation published by **HEKS**: Holcim is doing too little to reduce its emissions and began the process far too late. More concretely, Holcim is primarily planning to reduce its emissions per ton of cement, instead of implementing an absolute reduction in its emissions. The methods of the Science Based Target initiative (SBTi), which assesses and validates Holcim's climate targets, have also come under criticism. This is due to the fact that in the allocation of the remaining emissions-budget to individual actors, such methods only serve to reinforce the status quo and do not take the historical responsibility and economic stature of polluting actors into consideration whatsoever.

### **Standing up for millions of people**

The complaint against **Holcim** is part of a worldwide movement, yet it is only the second climate litigation case brought forward by affected people from the Global South. Furthermore, it is not only calling for Holcim to assume historical responsibility but, also, future responsibility with the demand for the company to rapidly reduce its emissions. For the complainants, this point is central: they are not filing their complaint only to receive compensation for the personal damages they have suffered. With it, they also seek to contribute to preserving the livelihoods of **millions of people**, primarily in the Global

South, that are existentially threatened by [climate change](#).

Source: [foei](#)