



Asmania et al. v. Holcim AG – Background

- In July 2022, four inhabitants of the island of Pari (Indonesia) sued materials company Holcim AG (seat: Zug)
- Request (simplified):
 - 1. Substantial emissions reduction**
 - Group-wide reduction of Scope 1,2,3 GHG emissions
 - -43% by end of 2030
 - -69% by end of 2040
 - [baseline: 2019]
 - 2. Compensation** for climate adaptation measures on Pari, damage already incurred, and just satisfaction:
 - around CHF 2,500 per plaintiff
- Legal basis: violation of **personality rights** (Art. 28 et seq. Swiss Civil Code)

The case is globally unique in the field of Private Climate Litigation, combination of:

1. Climate mitigation
2. Loss & Damage

→ Pilot case of transnational importance





Asmania et al. v. Holcim AG* – Procedural Decision of the Cantonal Court of Zug, 17 December 2025

Key Points

- **Jurisdiction:** Accepted
 - **Justiciability:** Accepted
 - Political Question Doctrine / separation of powers argument raised by respondent: rejected
 - **Legitimate interest** (*Rechtsschutzinteresse*): Accepted
 - *actio popularis* argument raised by respondent: rejected
 - **Shared Responsibility** of Companies for Climate Change (together with many other actors, including states)
 - **Indirect third-party effect** of human rights, international standards and multilateral treaties (eg, Paris Agreement) → interpretation of open-ended norms (here: extra-contractual liability norm in civil law)
 - Reference to *KlimaSeniorinnen et al. v. Switzerland*
- Decision:**
- Court accepts the lawsuit (i.e., case allowed to proceed to the merits)
 - Holcim appealed