

# Indonesian communities file complaint against HeidelbergCement with German government



(September 9, 2020) – Community representatives in Indonesia today filed a [complaint](https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/Complaint-to-German-NCP-Regarding-HeidelbergCement_9Sept2020_Redacted-for-pub.pdf) ([https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/Complaint-to-German-NCP-Regarding-HeidelbergCement\\_9Sept2020\\_Redacted-for-pub.pdf](https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/Complaint-to-German-NCP-Regarding-HeidelbergCement_9Sept2020_Redacted-for-pub.pdf)) to the German government accusing HeidelbergCement, one of the world’s largest cement makers, with threatening their livelihoods and water resources and the local ecosystem. The [complaint](https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/Complaint-to-German-NCP-Regarding-HeidelbergCement_9Sept2020_Redacted-for-pub.pdf) ([https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/Complaint-to-German-NCP-Regarding-HeidelbergCement\\_9Sept2020\\_Redacted-for-pub.pdf](https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/Complaint-to-German-NCP-Regarding-HeidelbergCement_9Sept2020_Redacted-for-pub.pdf)) to the German National Contact Point for Responsible Business Conduct alleges that

HeidelbergCement’s plans for a limestone mine and cement factory in the Kendeng mountains of Central Java also threaten sites sacred to local Indigenous Samin communities.

At least 35,000 people from the three sub-districts, Sukolilo, Kayen and Tambakromo, could lose their access to vital water resources for subsistence and agriculture due to mining the Kendeng karst area, according to an Indonesian geologist. Local communities reject the project and have refused to give their free, prior and informed consent to any mining on their territory.

“Every person needs a safe place to live and enough food to eat. We ask the company to stop its plan to destroy our environment and livelihoods in the name of development,” said a representative of the Kendeng communities whose name has been withheld due to fear of reprisals.

As a member of the Organization for Economic Cooperation and Development (OECD), Germany maintains a National Contact Point that addresses complaints against German companies for overseas violations of the OECD Guidelines on Multinational Enterprises. The guidelines contain standards on human rights and the environment.

Concerned people in Indonesia and Germany have held public demonstrations against the project, most recently at the HeidelbergCement’s Annual General Meeting in June. Indonesian advocates have also challenged the legality of the company’s operating license in Indonesian courts. HeidelbergCement has largely dismissed this opposition, has resisted meaningful and active dialogue with human rights and environmental advocates, and is proceeding with its development plans.

An Indonesian people’s movement comprised of individuals and families from surrounding communities submitted the complaint for communities in the Kendeng Mountains who stand to be adversely impacted by the project. They say that HeidelbergCement, one of Germany’s largest corporations, has breached the OECD Guidelines for Multinational Enterprises in relation to the operations of its controlled subsidiary PT Indocement. Inclusive Development International, Heinrich-Böll-Stiftung and FIAN Germany are assisting them through the complaints process.

“As one of Germany’s largest publicly traded companies, HeidelbergCement must abide to an even higher standard of due diligence in ensuring that its own operations and that of its subsidiaries worldwide respect human rights and ecological justice. This complaint will test Germany’s seriousness in holding a German company accountable over its economic behavior through the OECD mechanism,” said Barbara Unmüßig, co-president of the Heinrich-Böll-Stiftung.

A 2017 special impact assessment by the Indonesian Presidential Office and Ministry of Environment and Forestry confirms many of the communities' fears. It states that mining in Kendeng would cost local families their means of subsistence through the destruction of vital supplies of water for both farming and drinking. The same report details how mining in the area would have severe impacts on the local ecosystem, including destroying the habitats of rare species of plants and animals.

"HeidelbergCement's lack of transparency and the clear local Indigenous opposition to the project puts the company in prima facie contravention of their responsibilities under the OECD guidelines and UN Guiding Principles on Business and Human Rights," said Natalie Bugalski, legal director of Inclusive Development International. "The project is expected to cause irreversible environmental damage and serious adverse human rights impacts. HeidelbergCement should provide evidence to the contrary or cancel this project."

"The German government has to take up its human rights obligations and act swiftly to protect the right to food and water of the communities in Kendeng against the looming abuses by HeidelbergCement's subsidiary. It must not stand idle while the food security of thousands of local farmers is about to be destroyed," said Philipp Mimkes, secretary general of FIAN Germany.

HeidelbergCement has been active in Indonesia since the early 2000s through the acquisition of subsidiaries including PT Indocement, which is developing the Kendeng project.

This is not the first time that HeidelbergCement's social and environmental record has been in the spotlight. In 2016, Human Rights Watch released a report detailing how HeidelbergCement's quarry in the occupied Palestinian territories is contributing to violations of international humanitarian law and human rights abuses. In 2018, Western Sahara Resource Watch sent an open letter to HeidelbergCement's CEO expressing concerns regarding the company's operations in Western Sahara potentially contributing to illegal military occupation.

The complainants are calling on HeidelbergCement to:

- Commission and disclose an independent environmental and human rights impact assessment of the project, including through meaningful consultation with local communities.
- Respect the human rights of all affected communities, including the right to free, prior and informed consent of the Indigenous Samin, and cancel the project if a mutual agreement cannot be reached.
- Take all possible measures to ensure that the affected communities do not face reprisals, including from company employees, contractors or government officials, for filing this complaint.

**To read this article in German click here.** (<https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/HC-Press-release-September-9-2020-German.pdf>)

**A redacted version of the complaint is available here.** ([https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/Complaint-to-German-NCP-Regarding-HeidelbergCement\\_9Sept2020\\_Redacted-for-pub.pdf](https://www.inclusivedevelopment.net/wp-content/uploads/2020/09/Complaint-to-German-NCP-Regarding-HeidelbergCement_9Sept2020_Redacted-for-pub.pdf))

**For more information on this project see:** <https://www.inclusivedevelopment.net/campaign/indonesia-heidelbergcement/> (<https://www.inclusivedevelopment.net/campaign/indonesia-heidelbergcement/>)

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(September 9, 2020) – Community representatives in Indonesia today filed a complaint to the German government accusing HeidelbergCement, one of the world’s largest cement makers, with threatening their livelihoods and water resources and the local ecosystem. The complaint to the

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(July 31, 2020) – Today, Cambodian plaintiffs representing more than 700 farming families won a landmark appeal allowing them to move forward with their class action against Asia’s largest sugar producer, Mitr Phol.

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(July 28, 2020) – Investment in bauxite was promised to help lead to social and economic development in the poverty-stricken West African nation of Guinea. Communities in the path of the mine say it is deepening poverty and inequality.

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(Bangkok, July 23, 2020) – Two years ago today, at least 70 people died or disappeared and over 7000 were displaced when a dam collapsed in Laos. Inclusive Development International joins International Rivers and Mekong Watch in demanding justice

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(Jakarta, July 21, 2020) – The International Finance Corporation's independent watchdog has accepted a formal complaint concerning a planned zinc mine in North Sumatra, Indonesia, that will create millions of cubic meters of toxic tailings in one of the world's

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(<https://www.inclusivedevelopment.net/world-bank-backed-rio-tinto-alcoa-joint-venture-relocates-guinean-village-during-covid-19-lockdown/>) (June 19, 2020) – While communities across Guinea were under Covid-19 shelter-in-place orders, a joint venture owned by mining giants Alcoa and Rio Tinto relocated more than a hundred families to expand its sprawling bauxite mine.

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The NNTC welcomes the dismissal of Rio Tinto's CEO JS Jacques, & executives Salisbury & Niven, whose leadership led to the destruction of the 46,000-year-old Juukan Gorge caves. But this is not the end, Rio must now undertake an Aboriginal led review & large scale cultural change

Sep 11, 2020



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This comes after months of pressure from Aboriginal groups & shareholders over [@RioTinto's](#) decision to destroy culturally significant rock shelters in Australia which had evidence of