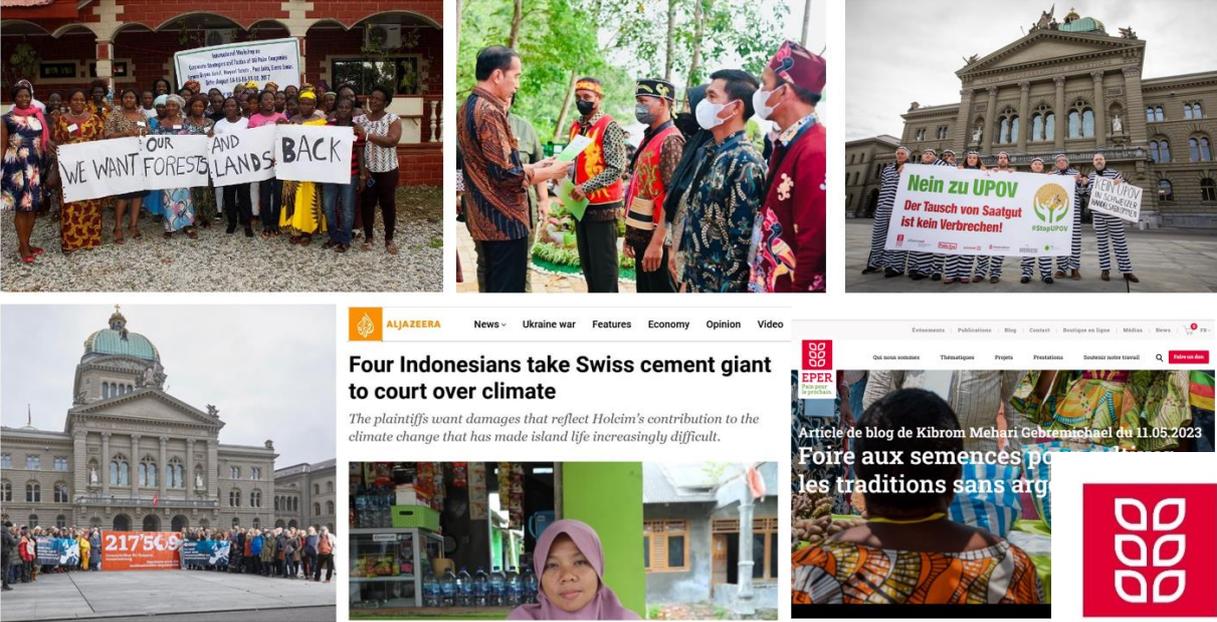


HEKS/EPER thematic factsheet 2023



Development Politics

HEKS/EPER's strategy, expertise and achievements on development policy work in the fields of Climate Justice, Right to Seeds for Agroecology, Business & Human Rights, Land Grabbing & the Right to Land

Why Development Politics Matters

HEKS/EPER understands development policy as its commitment to influence political processes, institutions and decisions in Switzerland that are relevant to the people in countries of the Global South and can directly or indirectly impact them. Being a small but one of the richest countries in the world, Switzerland is a global player in various areas that significantly influences international political and economic structural conditions.

With its low-tax policy, a globally very high number of investment protection treaties and other factors, Switzerland is a preferred location for numerous international companies; it is also a hub for commodity trading as well for hard (minerals, metals, and fossil energy sources) as for soft commodities (soy, wheat, coffee, cocoa, palm oil etc.). How these companies do their business and run production in countries of the Global South is decided to a great extent in the corporate headquarters in Switzerland. In addition, the companies and their lobby organisations strongly influence the shaping of political and legal frameworks and measures, both in Switzerland and at the international level (e.g., UN bodies), to protect their economic interests as best as possible. This is also the case, among others, in climate policy, the respect of human rights, communities' rights to natural resources, the design of international agricultural and food systems, trade and the protection of intellectual property rights.

As a well-known and relatively important Swiss-based and internationally active organisation, HEKS, therefore, has the opportunity and the responsibility to influence these political processes and actors to strengthen the rights of people in the Global South. With its development policy activities, HEKS/EPER holds certain Swiss actors accountable and takes a stand in the Swiss public and political debate. Through information and awareness-raising campaigns, advocacy and lobbying, HEKS/EPER thus, on the one hand, influences the narratives in these policy fields and, on the other hand, aims to have a direct political impact.

The development policy work of HEKS/EPER is based on joint research and done in direct and close collaboration with partner organisations and networks in the Global South. While engaging in campaigning and lobbying work in Switzerland and internationally, the support for local, national, and international struggles and advocacy of local communities, organisations and networks is an equally important part of our work.

HEKS/EPER has recently developed three thematic programmes on Climate Justice, the Right to Seeds for Agroecology and the Right to Food, Land Grabbing, and the Right to Land. These programmes – all three highly interlinked with and mutually reinforcing each other - are based on the objectives of the HEKS/EPER institutional strategy 2023-2028 and provide the framework for its development policy work.

This engagement is complementary to the programmes and projects HEKS/EPER supports and/or implements through its country programmes, including national or regional advocacy in these countries.

Global Challenges

Climate Justice

Climate and environmental justice mean that every human being has the same basic right to a safe, clean and healthy environment. *Climate justice*, therefore, implies not only that humanity is obliged to reduce emissions drastically and swiftly to zero but also to share the burden in a just manner. Given the North's primary responsibility for climate change (including states and businesses), its historic emission debt, as well as its economic capacity, this means mitigating its emissions, (financially) supporting poorer countries in low-emission development, in adapting to the consequences of climate change, and in dealing with losses and damages.

World leaders at the Paris UN Climate Change Conference (COP21) reached a breakthrough in December 2015: the historic Paris Agreement. The Agreement is a legally binding international treaty. It entered into force on 4 November 2016. Today, 194 Parties (193 States plus the European Union and Switzerland) have joined the Paris Agreement. The Paris Agreement is also the basis for Switzerland regarding emissions reductions and climate finance.

Right to Seeds for Agroecology & the Right to Food

The failures of industrial agriculture and food systems are becoming increasingly pronounced and evident, creating drastic negative impacts on human health, nature and the climate and transgressing numerous human rights, including the right to food and peasants' right to seeds as enshrined in the UN Declaration of Peasants Rights UNDROP. Seed diversity, developed and preserved by peasants within farm-based seed systems, is fundamental to transforming agroecological, democratic and just food systems. Under the pretext of modernising the seed sector and protecting breeders' intellectual property, countries of the global South are pushed to enact strict plant variety protection laws (according to UPOV standards). They guarantee seed breeders - often international agricultural corporations - monopoly rights over their seeds. On the other hand, farmers are no longer allowed to exchange or sell seeds they have obtained from such protected varieties. Switzerland is a key player in disseminating and enforcing intellectual property rights (IPR) on seeds (UPOV, patents) as a member of the European Free Trade Association (EFTA). Switzerland has been forcing developing countries to adopt plant variety protection laws in line with UPOV 91 through free trade agreements.

Business & Human Rights

Corporate Power: Multinational companies are continuing to grow on a global scale, increasing the power imbalance among producers, affected communities and companies (e.g. enormous revenues and benefit of extractive companies due to the Ukraine war/energy crisis); supply chains are often not transparent in various sectors, allowing human rights violations and environmental destruction.

The EU legislation process for EU directives, e.g., corporate sustainability reporting, corporate sustainability due diligence, and environmental crimes, is progressing. At the UN level, negotiations for a binding Business and Human Rights treaty are ongoing and dynamic.

Litigation: More and more legal cases emerge globally addressing corporate accountability for human rights violations and climate change.

Land Grabbing & the Right to Land

Land grabbing, that is, the loss of control over land due to the large-scale acquisition or long-term lease of land through companies, individuals, or investors (be it private or public), remains a significant problem for smallholder peasants, forest dwellers, and herders in many parts of the world and leads to the violation of Human Rights including the Right to Food. It is especially those already most marginalised and discriminated against in societies affected by land grabbing. Land grabbing often occurs where overlying and sometimes contradicting layers of land rights exist. However, the main driver of land grabbing is the global search for profitable investments, coupled with food price rises and the rise of renewable energy prices, making large-scale agriculture so interesting. While land grabbing has been happening for centuries, the recent wave started after 2008 when the food and financial crises caused a rush to acquire control over the world's farmland.

A more recent development with the inherent risk of exacerbating land grabbing is the focus of the latest climate negotiations and related corporate strategies on offsetting CO2 emissions through land-based carbon sinks in the Global South instead of pursuing strategies of first and foremost decarbonising. While there are many good and promising methods to increase carbon in the soil and enable climate change

adaptation, it is clear that climate change mitigation must rely on something other than large-scale carbon sinks due to the vast amounts of land that this would require.

How HEKS/EPER responds

Right to Seeds for Agroecology & the Right to Food

HEKS/EPER has focused specifically on peasants' right to seed and farm-based seed systems as an effective means to transform agroecological and just food systems for these reasons.

With local seed diversity, this transformation is needed to realise the right to food. Farmers, especially women, are the first and most important creators and guardians of seeds and seed diversity. To fulfil these roles, farmers need access to and control over seeds. In other words, farmers' rights to seeds need to be respected, protected, and fulfilled.

Switzerland plays an important role in pushing for intellectual property rights on seeds worldwide that jeopardise farmers' right to seeds. Achieving a change of this policy will have an important impact on farm-based seed systems and seed diversity, contributing to an agroecological transformation of food systems and the realisation of the right to food.

As a Swiss-based but internationally present and active organisation, HEKS/EPER is well-situated to advocate and lobby Swiss institutions and actors towards such a change.

Business & Human Rights

HEKS/EPER supports the European Coalition for Corporate Justice and actively supports the Swiss Coalition for Corporate Justice to call for mandatory human rights and environmental due diligence in Switzerland, the European Union, and the UN level. HESK further monitors the development of the UN binding treaty on business and human rights and participates in the UN Forum for Business and Human Rights.

HEKS/EPER regularly publishes reports on human rights violations or environmental destruction when economic actors are involved, specifically with a link to Switzerland, contacts the relevant actors and calls them to take responsibility. To influence ongoing political and public debates in the thematic areas, HEKS/EPER analyses the developments in Switzerland and the countries of our partner organisations and engages in forums, conferences and academic discussions when in line with the goals of its political strategy.

Land Grabbing & the Right to Land

HEKS/EPER engages in research, advocacy and lobbying on cases where Swiss actors, such as companies or financial institutions, or policies (land-based CO₂ offsetting; trade deals) are involved in or leading to land grabbing to hold these actors accountable or change the respective policies. In the past years, HEKS/EPER has identified two Swiss agro-business companies, such as Socfin and Addax Bioenergy, responsible for land grabbing in West African and Asian countries. So far, voluntary guidelines have yet to be proven to protect communities from land grabbing effectively. Therefore, the most important regulation in Switzerland to achieve this goal is an obligatory human rights due diligence law such as lobbied for by the coalition for responsible business (Koalition für Konzernverantwortung). The land grab cases reported on contribute to the lobby and advocacy of the coalition, where HEKS/EPER is a founding and active member.

Furthermore, specific trade agreements with countries of the global South (i.e. the EFTA-Indonesia or EFTA-Mercosur agreement) or private regulations such as RSPO that potentially threaten communities'

right to land are addressed. A special focus of our work in this area is research and campaigning for climate policies that do not harm people's right to land or human rights. The work on this relatively new trend aims at informing especially the climate movement, media and decision-makers and the public at large.

HEKS/EPER supports the affected communities in their efforts on the ground, e.g., through legal advice, strengthening local organisation and mobilisation, and national and regional networking. Special attention and support is given to the protection of land rights defenders. In the search for alternatives to the non-sustainable model of industrial plantations, an approach of just transition in the palm oil sector is developed.

Fundamental to this advocacy and campaign work of HEKS/EPERS is the solid evidence provided by the experience and reports of partner organisations and by the alliance and networks in which HEKS/EPER supports and in which it participates, combined with in-house research and analysis.

Climate Justice

To contribute towards the necessary change for more climate justice, HEKS/EPER has focused specifically on projects targeted at the consequent implementation of the Paris Agreement and just compensation of Loss and Damage. The **Paris Agreement** (see chapter context above) forms the basis of our advocacy work.

A broader societal transformation is required for climate justice and to stay within the planetary boundaries. HEKS/EPER's thematic program includes campaigns and projects primarily targeted at the broad public. However, for the consequent implementation of the Paris Agreement and just compensation of Loss and Damage, HEKS/EPER's projects and advocacy work specifically address key players, such as the Swiss government and businesses with particularly high CO₂ emissions (Carbon Majors). This is because implementing climate mitigation policies and actions to limit global warming to 1.5°C, adequate funds for climate finance, as agreed in the Paris Agreement and establishing a fund for climate-induced losses and damages are lagging behind. As a Swiss-based organisation with projects worldwide, HEKS/EPER is well situated and has the necessary know-how and the relevant networks to lobby and advocate for this change.

Promising Practices Worldwide

Climate Litigation Asmania et al. v. Holcim

HEKS/EPER supports climate litigation launched by four Indonesian individuals, named Asmania, Arif, Bobby and Edi, against the Swiss-based cement group Holcim. The four plaintiffs live on Pari Island, a small island in Indonesia that threatened to be submerged by rising sea levels in the coming years due to the adverse effects of climate change. The existence and livelihoods of the people on Pari island are already threatened today by the reoccurring extreme floods that submerge and damage their houses, water wells and touristic infrastructure. This is why they are taking Holcim to a Swiss civil court since the cement manufacturer excessively contributed to global CO₂ emissions over decades, bearing substantial responsibility in the climate crisis and for the damages and losses they suffered and continue to suffer. Holcim is among the 50 biggest emitters of CO₂ worldwide and [has contributed 0.42% of all global industrial CO₂ emissions since 1750](#). Every year today, Holcim still emits three times the amount as all of Switzerland and needs to do more to cut its emissions in the future. In their complaint, the four Indonesians are asking Holcim to reduce its CO₂ emissions drastically, contribute compensation for their

damages, and adopt measures according to its share of responsibility for the global industrial CO₂ emissions (0.42%).

The Indonesian Pari Island – threatened to be submerged by the rising sea level



The case can already be labelled a success in terms of public outreach. Since being launched in July 2022, it has gained much public attention as over 300 media outlets covered the story of Asmania, Arif, Edi and Bobby. Among many were articles in [the Financial Times](#), [the NZZ](#), [the Guardian](#) or [Al Jazeera](#). The proceedings in court are expected to go on for a few years. The case *Asmania et al. v. Holcim* HEKS/EPER engages in strategic litigation, meaning that it supports the case to engender broader changes within society in general and jurisprudence in particular. The case raises the issue of business responsibility in climate change and asks whether individual companies can contribute to the climate crisis to such a large extent without being held liable for it.

The case is underpinned by basic legal concepts of Swiss law that are applied to the context of climate change. Next to supporting the legal proceedings in this case, including a [critical analysis of Holcim's climate targets](#), HEKS/EPER engages in advocacy and campaigning work to raise public awareness on business responsibility in the climate crisis and the global issue of loss and damage and climate (in)justice.

HEKS/EPER works with partners in Indonesia (WALHI-Friends of the Earth Indonesia) and Germany (European Center for Constitutional and Human Rights, ECCHR). More information on the case may be found here: www.callforclimatejustice.org.

Community empowerment and legal assistance to affected persons by mining operations in the Democratic Republic of the Congo

The HEKS/EPER partner organisation Centre d'Aide Juridico-Judiciaire (CAJJ), a small team of lawyers and support staff, supports victims of the mining activities of international corporations and investors in the Katanga region of the Democratic Republic of the Congo (DRC) through four axes: 1) legal and judicial support for victims of mining exploitation; 2) monitoring of the social obligations of mining companies; 3) capacity



Workshop on the identification of priority needs of the communities.

building for effective monitoring by civil society; and 4) empowerment of women affected by mining. Although the organisation has only a small budget, it achieves every year some remarkable successes: In 2022, the CAJJ provided free legal and legal aid to 28 mining victims, including nine women and 19 men. Of these 28 people, eighteen (18) have received compensation or indemnity. Ms TSHIBANDJELA LAU Virginie, a farmer from Kapepa village, was a victim of the expropriation of her farm by the MUSKA INGÉNIERING SARL company. Through the accompaniment of CAJJ, the company concerned agreed to

pay the victim 30,000 US dollars as compensation. Nine inhabitants of the village of Pumina, whose houses were destroyed by the company SICOMINES, were compensated with 1400 US dollars with the mediation of CAJJ. CAJJ further initiated meetings between communities living around mining operations and representatives of mining companies and provided training for representatives of the communities for their negotiations with the extractive industry. As a result of CAJJ's work, six representatives of communities are now part of the administrative committee governing the contribution of four mining companies in Kolwezi (Mutanda Mining, Kamoto Copper Company, Sicomines and Commus) for development projects for the communities. Overall, 528 beneficiaries have directly benefitted from the activities of CAJJ, and 291 beneficiaries have indirectly benefitted.



Meeting with the delegates of the communities in the region of Kolwezi.

UPOV91 Law in Honduras repealed by the Supreme Court

After five years of constant sensitisation, advocacy, and lobby work, our partner organisation ANAFAE in Honduras achieved a long-term goal: In January 2022, the Supreme Court of Justice of Honduras declared the total unconstitutionality of the Law for the Protection of Plant Varieties unanimously (in line with UPOV91). One of the key points was that the UPOV convention "violates constitutional principles for life, human dignity and the right of the Honduran people to an adequate standard of living." ANAFAE organised workshops with its members, produced information material, including innovative "radio-novelas", and delivered technical and legal analysis to sustain the complaint against the law introduced in 2012. The



Victory for the right to seeds in Honduras.

exchange and learning experience at regional and international levels was important for their success. An Amicus Curiae letter from FIAN International played a crucial role in the court's decision. HEKS/EPER supported the translation of the Court Sentence to serve as an example for other groups fighting against UPOV laws in their country, such as Ghana and Nigeria. HEKS/EPER has facilitated an exchange among these groups.

Customary Forst Certificate granted to Indigenous Community in West Kamantan, Indonesia

Customary Forest Certificate for Dayak community in Indonesia



A customary forest certificate for the Sub village Silit over 4'272 Hectares of Land has been registered. The certificate was handed over to the former village chief by Indonesia's president Joko Widodo on February 22, 2023.

Indonesia's palm oil industry is still expanding. Since 2012, the area under palm oil plantations in the country has more than quadrupled. Kalimantan - the Indonesian part of Borneo where Silit is located - along with Sumatra, is the main cultivation area. Most of the area where plantations now stand was previously tropical forest. When driving to Silit by car, the trip took several hours and led us mainly through plantation land.

For years, the plantation company of the DSN Group has been trying to get hold of new land in Silit and the neighbouring villages. Their representatives visited the village every fortnight, offering much money to individual inhabitants and the village chief and making many promises. The people would receive

higher incomes if they produced palm oil for the company or ceded their land entirely to the company. In two neighbouring villages, the DSN Group was partially successful. Not so in Silit.

The village community in Silit, together with the environmental organisation Walhi, which HEKS/EPER supports, intensively discussed how they could protect their territory from the plantation company's grip. As an indigenous community, they understand their land as collective property. However, they did not have an official title, and the procedure to obtain that was long and complex. Only a few indigenous communities have succeeded in achieving that so far.

Silit decided to take this path. An important step was the mapping of their territory. To do this, a delegation from the village spent several days in the forest, recording the coordinates of boundary markers such as old trees, streams or forks in the road using GPS and creating a digital map. This is the basis for both the land title and the future handling of the territory. Two-thirds remain protected forest, with only one-third reserved as production land. No one in the village can give land to third parties of their authority.

Then, at the end of 2022, came the long-awaited news from Jakarta: Silit's collective forest ownership of 4,272 hectares has been recognised and registered by the Indonesian state. In the administrative district of Sintang – half the size of Switzerland - Silit is the first village to call such a "Customary Forest Certificate" its own.

On February 22, 2023, Indonesian President Joko Widodo personally handed over the certificate to two village representatives. This is not only a great recognition for Silit; it is also an enormously important signal for the region.

Achievements & Perspectives

Achievements over the past years and in 2022

Climate Justice

In July 2022, HEKS, together with ECCHR and WALHI, supported the launch of the climate lawsuit against Holcim, which received national and international media attention. Four Indonesians are, for the first time suing a big Carbon Major (Holcim). The lawsuit got international media attention (incl. a Guardian article). This is the world's first climate lawsuit from the Global South asking for loss and damage compensation.

During COP27, thanks to the year-long work of our partner organisations (ICCCAD and CPRD) on Loss & Damage, countries reached a historic agreement for the creation of a Loss and Damage Finance Facility with the creation of a Transitional Committee to decide on fund sources, governance, selection criteria for beneficiaries, etc. This was a demand from our two partner organisations together with the group of 77 developing countries.

HEKS/EPER staff wrote blog articles on the lawsuit and on climate justice (around COP27).

We worked in alliances (Alliance Sud, Climate Alliance Switzerland), where a few media releases were published.

Furthermore, HEKS/EPER contributed to creating the "Christians for Climate Protection" coalition to lobby for the Swiss Climate Protection Law in June 2023. HEKS/EPER is a founding member of this coalition.

Work of partner organisations (Indonesia and Bangladesh):

WALHI: it supported the claimants of the climate lawsuit with media training. WALHI held a September media conference on the climate lawsuit and a social media campaign.

ICCCAD: it published several policy briefs on Loss & Damage around COP27 in November 2022, organised a meeting at the SBSTA meeting in Bonn in June 2023 on Loss & Damage, and held an online conference in April on locally-led adaptation.

CPRD: it conducted research in three regions of Bangladesh on the impact of climate change and loss & damage. It organised lobby meetings with the Government of Bangladesh and published several blogs around COP27 in November 2022.

Right to Seeds for Agroecology and the Right to Food

In the past, the Right to Seeds program (within Bread for All) has contributed to three ecumenical campaigns since 2018 on respective issues (including one explicitly on seeds), co-organised five conferences on the annual World Food Day and a travelling exhibition (Romandie). Its staff was present with numerous media articles, lectures and at panel discussions. In 2021 it was engaged at the Swiss and international levels in meetings and webinars around the World Food Systems Summit.

Through its representation on the Federal FAO Committee (a consultative body of the Federal Council on international food security and sustainable food systems), HEKS/EPER is involved at the level of national administration. As a member of this committee, then-Bread for all staff has, for example, contributed to a discussion paper on Agroecology that is referenced in several processes at the UN level. An informal FAO-NGO group initiated by Bread for all was an important place for strategic exchange, e.g., for proposals in the CNS-FAO, discussing joint positions on relevant popular initiatives, but also for joint activities and initiatives.

At the EU and international levels, ACT EU played an important role in fostering the narrative on agroecological transformation and the right to food. Together with Bread for the World (Germany) and two consultants based in Brussels, HEKS/EPER engaged in lobby activities to make sure that the reform of the EU seed marketing regulation does not violate farmers' rights on seeds and local seed systems. Two international webinars on this issue were held with CSO partners from the Global South to ensure Policy Coherence for development; followed by lobby meetings with DG INTPA and DG Sante.

HEKS/EPER organised and participated in the global campaign against UPOV in front of the Swiss parliament. As a result, Mdp Nicolas Walder initiated a parliamentary initiative requesting the Federal Council to take UPOV 91 standards out of the negotiation blueprint of EFTA (Swiss) Trade Agreements.

HEKS/EPER staff in Switzerland present in various public events on the right to food, seeds and agroecology: For October 2022, HEKS/EPER was one of the organisers of three public events around the World Food Day. We have given extensive input for a documentary theatre of the city of Berne launched in October and performed till the end of 22. HEKS/EPER was actively contributing to the "days of agroecology" taking place throughout the month of October in Switzerland. The Ecumenical Campaign 2023 focuses on climate justice and agroecology. Furthermore, several blogs and articles were published on the issues. One article prompted a private individual to donate 15'000 CHF.

At the international level, HEKS/EPER is a member of the Right to Food and Nutrition network that is an important CSO voice in the Rome-based agencies, especially in the Committee on Food Security (CFS) policy processes. Through its support to and longstanding strategic partnership with the international organisation, GRAIN, HEKS/EPER is contributing to the research, information and mobilisation that has an important outreach, especially among CSO and social movements in countries of the Global South.

Last year also saw important activities in advocacy for the right to food in West Africa. In addition to active participation at the COP27, CONVERGENCE, HEKS/EPER partner in West Africa, also organised climate caravans aimed at sensitising the public and decision-makers and influencing public policies at national levels. This complemented and strengthened the advocacy work that CONVERGENCE conducted at regional and international levels to highlight the importance of supporting community-based climate adaptation measures and practices. The advocacy team met with President Macky Sall of Senegal, chairman of ECOWAS, to deliver African CSOs' position that Paris Accord promoting carbon offsetting and trading only promoted further land grabs and needed revising. CONVERGENCE also met with representatives of the World Bank and urged them to honour the financial pledges made to support African countries in adapting to climate change.

The advocacy for the right to land in West Africa also saw the CONVERGENCE reach out to and mobilise traditional chiefs that play an important role in managing customary lands. This mobilisation culminated in a meeting in Guinea Bissau that brought many traditional chiefs from the entire region and highlighted the need to respect the right to the land, particularly women and the youth.

In Latin America, our long-standing partner organisation ANAFAE achieved a huge success: the supreme court declared UPOV91 unconstitutional (see above). The Latin American Alliance for Biodiversity, together with the Colectivo Semillas, organised a regional meeting with indigenous and local seed guardians (sabios y sabias de semillas) in Chile with 25 activists and indigenous leaders from 6 countries.

Land Grabbing & the Right to Land

HEKS/EPER has published detailed reports on Land Grabbing through Swiss-based companies, such as Socfin in Liberia or Addax Bioenergy in Sierra Leone. These reports, researched and written with partner organisations, paved the ground for important legal activities, advocacy and lobby work in Liberia and Sierra Leone, Switzerland and Germany, as well as at regional and international levels (ECOWAS, African Union, EU). In Sierra Leone, this engagement not only achieved compensation for the affected communities through the German government that had co-financed the Addax project but also contributed

to the lobby work for a new land law recognising communities' collective land rights. In Liberia, the reports laid the ground for a complaint at the International Finance Corporation IFC and legal cases filed by our partner organisation against the plantation company and the Liberian Government. These legal cases are ongoing. According to the partner organisation, these legal cases against land grabbing are the first worldwide.

With several campaigns, HEKS/EPER raised the issue of Land Grabbing in Switzerland (including ecumenical campaigns on the Addax case and on Credit Suisse involved in palm oil plantations in Indonesia as well as a campaign asking Swiss retailers to reduce the use of palm oil) through conferences, media work, parliamentary motions etc. HEKS/EPER (Bfa) effectively strengthened the local partners' engagement and helped bring the cases to the international level. One example is also the effective grassroots resistance against plantation projects in West- and Central Africa supported by HEKS/EPER since 2016. Therefore, the key focus of HEKS/EPER's work on land grabbing has been and continues to be to strengthen and support these communities in defending their right to land and resisting or reverting land grabbing according to the needs they identify and articulate.

HEKS/EPER, together with its partner organisation (Walhi, FOEI, Pro Natura), engaged in advocacy towards different actors, including Swiss retailers, to explain the insufficiency of RSPO and lobby for a reduction of its use. As a member of the Swiss palm oil coalition, HEKS/EPER (Bfa) engaged in advocacy around the free trade agreement between EFTA countries (Switzerland) and Indonesia and its reference to RSPO.

While achieving some success with our campaign "Palm oil leads to land grabbing", asking Swiss retailers to reduce their palm oil consumption in their products by 50% and informing about the ineffectiveness of RSPO, a real change for the affected people in the producing countries was beyond our reach. Also, the joint efforts of the Swiss palm oil coalition to influence the trade agreement with Indonesia were partly successful. Still, they did not overcome the structural drivers for the disastrous impacts of palm oil plantations. The need for a more systematic approach became clear.

In 2022 the community-based organisations in Cameroon and Liberia have been formalised, and their strength has increased. This means that affected community members can speak for themselves on their problems and the solutions they want. This community resistance – strongly supported by HEKS/EPER partner "Informal Alliance" – increasingly bears fruit, according to new research and media coverage.

The work of HEKS/Bfa in previous years has sparked many follow-up activities beyond what HEKS/EPER can finance. One example is Liberia, where a court case has been filed against the state of Liberia for giving away peoples' lands. The court case is based importantly on a report published by Bfa, and the work of mobilising people around the court case – mobilisation that is both important and successful – is financed by HEKS.

Supported by HEKS/EPER and Pro Natura, Friends of the Earth International closely followed and participated in the COP Biodiversity negotiations to foster regulations for industrial agriculture and agro-commodities that severely damage biodiversity.

FOE Africa produced a documentary drama on the strategies and tactics of companies to convince local communities to hand over their lands.

Business & Human Rights

Before its merger with HEKS, Business and Human Rights was one of the thematic focus areas of Bread for all, with projects in the area of fair supply chains, batteries/e-mobility and recycling, as well as on corporate accountability in the narrower sense. For over ten years, Bread for all published reports on the activities of multinational corporations in the Global South (e.g., Holcim in Uganda, Vitol in South Africa, OCP in Marrocco or Glencore in the DRC). These examples and reports were part of the argumentative basis for the call for stricter regulations on corporate accountability in Switzerland. Then they are used by the NGO coalition supporting the preparatory works for the responsible business initiative. This

engagement was crowned with the campaign's success for the responsible business initiative in late 2020 with a unique mobilisation of civil society actors and volunteers throughout Switzerland.

Since the merger, the resources in this area have shrunk significantly. Overall, within one year, the resources in this area of HEKS/EPER staff were reduced from 3 staff members covering 220 per cent to only 70 per cent of only one staff member. Furthermore, the climate litigation mentioned above bound a major part of the time and resources of this latter staff member. The outcomes of these thematic areas were thus significantly smaller than in previous years. Nevertheless, at the same time, the process for an overall strategy of HEKS/EPER confirmed that the organisation would continue to work on the areas of business and human rights and environmental impacts of private actor engagements and investigate abuses in these areas, while at the same time cooperating with private actors where this supports projects and development under strict due diligence criteria.

HEKS/EPER continued supporting the former partner organisations of Bread for all in the DRC, Afrewatch and CAJJ and South Africa (the Benchmark Foundation). At the same time, mandates were given to the Kongo Tribunal, organised by LEMAFRICA and IIPM, the Belgian organisation for political theatre led by Milo Rau, as a follow-up to the projects of the Kongo Tribunal in Switzerland and the DRC in 2020 and 2021. Furthermore, a mandate was given to SACBC, Justice and Peace, working in South Africa for a project developing a class action of sick miners against several international mining companies, one of them being the Swiss-based multinational corporation Glencore. All these partners work on the negative impacts of the extractive industry in countries in the Global South, specifically in the DRC and South Africa. The projects focus on empowering communities to defend their livelihoods, research, advocacy and legal assistance to victims of abuses in connection to mining activities in these countries. Although successful, the projects in South Africa will be terminated in the course of the year 2023 due to the new geographical focus of HEKS. On the other hand, the support of the partner organisations in the DRC will continue in the next years in cooperation with the Swiss Lenten Fund.



Handing over the petition to the Federal Council in Bern.

Petition for Corporate Justice: In August 2022, the [Swiss Coalition for Corporate Justice](#), of which HEKS/EPER is a member, launched a petition to the Swiss parliament and the Federal Council calling them for more stringent legislation on corporate responsibility. The campaign was designed to hold the Federal Council Karin Keller-Suter accountable for her promise during the campaign ahead of the vote on the responsible business initiative in 2020, saying that Switzerland should adopt stricter regulations on corporate accountability when the European Union is doing so. Since 2021, the European Union has been in a legislation process for a new directive on corporate human rights due diligence. It is, therefore, time for the Swiss legislator to start drafting similar rules in Swiss law to ensure that Switzerland will not soon be the sole country in Europe without binding corporate responsibility rules.

The campaign aimed to collect 100,000 signatures in just 100 days and thus sending an impressive signal to the Federal Council. The turnout was huge: over a thousand volunteers collected signatures for the petition at around 500 locations throughout Switzerland. Volunteers throughout the country handed out more than 600,000 petition letters, and thousands of supporters collected signatures in their communities. This incredible effort by a wide-reaching volunteering alliance enabled the coalition to exceed the initial collection target by a wide margin. On 1 December 2022, 217,509 signatures were submitted to the Federal Chancellery in Bern - making it one of the most impressive petitions ever.

Publication of a SLAPP-factsheet: HEKS/EPER has helped to establish the anti-SLAPP coalition in Switzerland in 2021 and 2022, which will be formally institutionalised in 2023. SLAPP stands for “*strategic litigation against public participation*” and is a term used to describe legal complaints from businesses or wealthy individuals against participants of civil society, including NGOs, journalists, or media outlets. The only goal of these legal complaints is to have a chilling effect on members of civil society to deter them from publishing critical research or articles about businesses or wealthy individuals. SLAPPs represent a threat to the right to freedom of expression and information. HEKS/EPER wrote and published 2022 a [factsheet](#) on the situation of SLAPPs in Switzerland regarding NGOs and found that the number of SLAPPs against NGOs has been increasing over the past years. One of the most prominent examples is the [case against the Bruno Manser Fonds](#).

Perspectives 2023 onwards

Climate Justice

HEKS/EPER advocates for Climate Justice, for safeguarding the rights of the most vulnerable people and for the just and equitable sharing of burdens and benefits of climate change and its impacts.

Consequent implementation of the Paris Agreement

- Driving and supporting policies and actions for net zero emissions by 2040 in Switzerland (including a campaign for the Swiss Climate Protection Law to be voted on June 18, 2023, and a bigger Climate Demo in September 2023, see below)
- Sensitise the public in Switzerland on the responsibility of the Carbon Majors for the climate crisis and the urgent need for them to decarbonise (part of the work of the climate lawsuit)
- Supporting advocacy, campaigns and policies for a just climate finance of Switzerland

Just compensation for climate-induced loss and damage

- Supporting advocacy, campaigns and policies in Switzerland aimed at a just compensation of climate-induced loss and damage
- Holding a Swiss Carbon Major accountable for losses and damages in the global South
- Supporting partners in their advocacy and research work on loss and damage (mainly ICCCAD and CPRD in Bangladesh and WALHI in Indonesia, to find an additional partner in Africa)

Specifically for 2023:

- June 2023: visit of the claimants of the climate lawsuit in Switzerland and Germany. Lobby meetings with key stakeholders, university meetings, and media work are planned.
- June 2023: campaign for the Swiss Climate Protection Law to be voted on June 18, 2023 (with communication done by HEKS, Christians for Climate Protection and Climate Alliance Switzerland). With this campaign, a glacier funeral will also be organised in May 2023 to raise awareness of the climate impacts in Switzerland and the need for more climate justice.
- September 2023: a bigger Climate Demonstration in Bern in September 2023 before the Parliament’s elections.

Right to Seeds for Agroecology & the Right to Food

Promoting UNDROP in Switzerland and abroad

- Switzerland and other sympathetic countries support the creation of a special rapporteur or monitoring mechanism at the UN HRC (With FOD)
- Sensitizing and training partner organisations on the application of UNDROP and other tools, such as UPR, to claim their right to food.
- Increased and fruitful exchange with interested HEKS/EPER country programmes and respective partner organisations on peasants’ right to seeds and seeds for agroecology – with three meetings with respective countries/partners.

Fight UPOV91 and strengthen farm-based seed systems and seed diversity.

- Fostering public discourse on farmers' right to seeds and agroecological, just food systems through an Ecumenical campaign on Climate Justice and Agroecology, publication of articles, blogs, organisation, and participation at public events.
- Pressure on the Swiss administration to not take out the UPOV91 clause in future trade agreements (e.g. with Thailand and Malaysia)
- Participation at Global Week of Action No-to-UPOV.

Strengthening and supporting partner organisations to carry out their priority activities for 2023.

- CONVERGENCE successfully carries out the 2023 caravan, which will focus on the land right for pastoralist populations living in the Sahara
- COASP and RADD successfully conduct their peasant seed fairs and carry on the momentum to sustain advocacy in their respective regions
- SYNPA intensifies its monitoring and vigilance, so the UPOV91 proposal is not revived in Benin.
- Latin American Seeds collective to strengthen education and sensitisation work on IPRs on seeds
- ANAFEA continues to monitor and lobby on upcoming seed-related legislation.
- The staff of HEKS/EPER and implementing partners have increased knowledge and skills about HRBA to seeds, UNDROP and agroecology and can implement accordingly.

Land Grabbing & the Right to Land**Policies and regulations to hold Swiss actors accountable for and to impede land grabbing**

- Swiss corporations/financial actors involved in Land Grabbing are exposed, and the pressure on them to change grows.
- An alliance in the palm oil sector develops a vision and gains first successes towards a just transition of the palm oil sector.
- The risk that land-based CO₂-offsetting as a climate change mitigation measure can lead to land grabbing is better known and is no longer pursued

Strong partner organisations and alliances able to engage against land grabbing and, for the land

- Output 2.1: Supporting partner organisations and networks
- Output 2.2: Providing direct support to environmental and human rights defenders in cases of emergency

Business & Human Rights

HEKS/EPER will continue to advocate for stricter rules on corporate responsibility in Switzerland and abroad. It will investigate and document, together with its partner organisations, cases of human rights violations and environmental damages in the Global South caused by daughter companies of Swiss corporations or companies with other ties to Switzerland (financial, supply chain, etc.) and call for accountability of the perpetrators and full compensation for the victims. In 2023, a priority focus will continuously be on the human rights impact of the carbon footprint of the global cement producer Holcim and the preparatory works for the next steps in Switzerland with the Coalition for Corporate Justice.

HEKS/EPER will support its partners and networks in their advocacy and research work on corporate accountability (CAJJ and Afrewatch in the DRC) and explore further areas of corporate accountability in the positioning themes of the new HEKS/EPER strategy.

This is HEKS/EPER



HEKS/EPER is the aid organisation of the Swiss protestant churches. It operates towards a more equitable and peaceful world (and Switzerland) with resilient communities, focusing on four topics: **Climate Justice, Inclusion, Right to Land & Food, and Refuge & Migration.**

In 2022, HEKS/EPER supported more than 60 projects in Switzerland, including 98'000 people, and with 232 projects in 30 countries, 2.5 million people directly in economic, social or humanitarian need. The operating income of the whole organisation has risen to 114 M CHF and expenditure to 108.13 M CHF – of which 54.54 M CHF were net costs spent for the international programme.

In the Global Cooperation division, HEKS/EPER ameliorated with 17.8 M CHF (net costs) spent on 96 **development projects** for the life of 946'267 people focusing on access to land and resources, securing basic services, fostering sustainable production and inclusive market systems. It also promoted the social inclusion of marginalised, inclusive governance structures and conflict transformation. 23.4 M benefitted indirectly – e.g., through successful advocacy for new rights or policies (e.g., right to land, water, education, health, market access).

HEKS/EPER's **humanitarian aid** spent more than 29 M CHF (net costs) in 72 projects in 18 countries reaching directly 1.522 M people affected by conflicts and disasters; another 2.4 M were indirectly reached with health prevention campaigns or rebuilt public sanitation, road or health infrastructures.

In the frame of **Church Cooperation**, HEKS/EPER enabled with 2.26 M CHF social work of Reformed Churches in Eastern Europe and the Middle East, reaching out to almost 35'000 people through 29 projects; another 30'500 were reached indirectly.

HEKS/EPER sensitises on the needs and rights of people and communities worldwide, addressing causes of global inequalities. To **influence the public, media, politics and other stakeholders in Switzerland** to achieve a transition to a more equitable, peaceful world, preserving the limited natural resources, HEKS/EPER spent 4.5 M CHF on advocacy and policy work.

HEKS/EPER Global Cooperation strives towards systemic change with its human rights-based approach, promoting ownership, innovation, and the nexus between humanitarian aid and development activities. Together with competent partners and well-interconnected alliances, HEKS/EPER fosters constant dialogue between civil society, the private sector, and Government actors enabling people and communities to advocate for their needs and rights. The international divisions' conflict- and gender-sensitive programming is risk-informed and evidence-based. A proficient institutional governance framework allows effectiveness and transparency.

In Switzerland, HEKS/EPER supported with 34.2 M CHF net costs of more than 60 projects in 15 cantons disadvantaged people in becoming socially and economically integrated by promoting equal opportunity and assisting jobless people, refugees, and other individuals by providing day structures, legal advice, vocational training, language courses, dialogue platforms, etc.

The nine core values of HEKS/EPER: Justice / Self-Determination / Participation / Respect / Solidarity / Support without Borders / Close to People / Effectiveness, / Accountability.

Strategies, policies, guidelines, and reports published on ID's Governance Website: https://en.heks.ch/Institutional_Governance

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