

Lafarge in Syria: Trial against the company and several former executives for financing terrorist organizations

Q&A

In anticipation of the trial scheduled for 4 November until 16 December 2025, this document aims to shed light on the facts and proceedings that led to the referral of Lafarge and several former executives and intermediaries to the Paris Criminal Court for financing terrorist enterprises and violating international sanctions.

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What are the key events in this case?

<p>9 June 2016</p>	<p>Dorothee Myriam Kellou's investigation in Le Monde reveals that Lafarge's cement plant in Syria has established economic ties with the Islamic State in order to continue its operations during the Syrian civil war.</p>
<p>15 November 2016</p>	<p>Sherpa, ECCHR and 11 former employees file a complaint against Lafarge for complicity in crimes against humanity, financing a terrorist enterprise, deliberately endangering others, abusive exploitation of labor, and degrading working conditions.</p>
<p>9 June 2017</p>	<p>Launch of judicial investigation before the Paris High Court.</p>
<p>December 2017 – March 2018</p>	<p>Several former executives of Lafarge and Lafarge Cement Syria are charged with financing a terrorist enterprise, endangering the lives of others, and violating international sanctions.</p>
<p>28 June 2018</p>	<p>Lafarge, as a corporate entity, is charged with complicity in crimes against humanity, financing a terrorist enterprise, endangering the lives of others, and violating international sanctions.</p>
<p>7 November 2019</p>	<p>The Investigation Chamber of the Paris Court of Appeals confirms the indictment of Lafarge for financing a terrorist enterprise, deliberately endangering the lives of its Syrian employees, and failing to comply with international sanctions, but overturns the indictment for complicity in crimes against humanity.</p>

7 September 2021	The Court of cassation (France's Supreme Court) confirms the indictment of Lafarge for financing a terrorist enterprise and overturns the Investigation Chamber's decision regarding the indictment for complicity in crimes against humanity and deliberately endangering the lives of employees. The court refers these two issues back to the Investigation Chamber for review. The court confirms the inadmissibility of several civil parties, including that of Sherpa.
18 May 2022	The Investigation Chamber of the Paris Court of Appeal confirms the indictment of Lafarge for complicity in crimes against humanity.
16 January 2024	The Court of cassation upholds Lafarge's indictment for complicity in crimes against humanity and overturns the indictment for endangering the lives of others.
16 October 2024	Investigating judges order Lafarge and four former executives to stand trial in criminal court for financing a terrorist enterprise and violating international sanctions. Two intermediaries and two security officers are also charged with financing a terrorist enterprise.
4 November – 16 December 2025	The trial for financing terrorist enterprises and violating international sanctions will be held at the Paris Criminal Court.

What was Lafarge's activity in Syria?

In 2008, the French company Lafarge acquired the Egyptian company Orascom Cement, which operates in several markets in North Africa, the Middle East and North Korea, for more than €8 billion. Lafarge took over the construction of a cement plant in Jalabiya, northern Syria, at a cost of \$680 million – the largest in the Middle East. Its operation by the group's new subsidiary, Lafarge Cement Syria (LCS), began in October 2010.

Despite the start of the civil war in 2011 and the spread of armed clashes in proximity to the factory area, Lafarge continued to operate its cement plant, endangering the safety of its employees.

On 19 September 2014, after learning that an attack was imminent, the remaining employees present on site were forced to flee by their own means, as no evacuation plan had been put in place by Lafarge. Islamic State fighters seized the factory, effectively putting an end to the cement plant's operations.

What are the charges against Lafarge, its former executives, and intermediaries?

The order to refer the case to the criminal court states that during 2013 and 2014, Lafarge allegedly financed local armed groups in order to keep its factory operational, continue cement sales, and preserve its industrial asset.

Lafarge allegedly financed Ahrar al-Sham, the al-Nusra Front, and the Islamic State in Iraq and the Levant (ISIL). The latter two groups have been listed by the UN since 2013 as entities linked to Al-Qaeda and are also included on the European Union's list of sanctioned organizations.

According to figures obtained by the investigating judges, during 2013 and 2014 Lafarge allegedly paid approximately €3,130,000 to IS, al-Nusra Front, and Ahrar al-Sham in "security payments" to enable the free movement of its employees and goods in the region. The company also allegedly paid €1,900,000 to suppliers associated with IS for the purchase of raw materials necessary for the operation of the factory.

These payments were allegedly made through Syrian intermediaries, Firas Tlass and Amro Taleb, hired by Lafarge's Syrian subsidiary, Lafarge Cement Syria (LCS), to negotiate with the armed groups. They were supported by security managers, initially Jacob Waerness, then Ahmad al Jaloudi, who identified the groups on the ground and made contact with them. The agreements with these groups were allegedly approved by LCS directors with the backing of Lafarge's management.

What risks and abuses were Lafarge's Syrian employees exposed to?

The area where the factory is located fell under Kurdish control in 2012, then gradually under the control of IS the following year. As early as 2012, employees had informed their management that they were risking their lives to get to the factory, as they had to pass through checkpoints manned by armed groups on their way to work.

In the summer of 2012, faced with escalating violence between the various groups fighting over the territory around the factory, non-Syrian employees were evacuated and relocated to Egypt or Jordan to manage the factory remotely. Lafarge decided to relocate Syrian employees to Manbij, a city that quickly became the scene of violent and recurring clashes and was eventually taken over by IS in January 2014.

The factory continued to operate thanks to Syrian employees who took turns working on site despite the significant risks to their lives. Some employees who expressed their fear of going to the factory or living in Manbij were reportedly threatened with dismissal. In September 2012, Lafarge set up makeshift accommodations so that some employees could live on the factory site.

During 2012 – 2014, almost 20 Lafarge employees were kidnapped, nine of whom for a period of one month. Others were exposed to threats from armed groups. Lafarge secured the release of some employees through paying ransoms, but others had to rely on their relatives, as their employer did not intervene.

When IS attacked and took control of the factory on 19 September 2014, with no evacuation plan in place, Lafarge employees fled on their own, using three private vehicles and a motorcycle. Several of them were kidnapped by IS.

How did the courts come to investigate this case?

In the wake of revelations in the press, Sherpa, the European Center for Constitutional and Human Rights (ECCHR), and 11 Syrian former employees of Lafarge filed a criminal complaint on 15 November 2016 against Lafarge and its Syrian subsidiary LCS, and against both Lafarge and LCS executives for, among other things, complicity in crimes against humanity, financing a terrorist enterprise, and endangering the lives of others.

A judicial investigation was opened on 9 June 2017.

In September 2016, the Ministry of Economy and Finance also filed a complaint against Lafarge for non-compliance with European sanctions concerning financial

relations with Syria and designated terrorist groups. The customs investigation is linked to the judicial investigation.

Who are the defendants in this trial?

- **Lafarge SA:** a French company specializing in the production of building materials, with multiple international subsidiaries, including Lafarge Cement Syria (LCS). In 2015, Lafarge merged with the Swiss group Holcim (see [below](#)).
- **Bruno Lafont**, CEO of Lafarge from 2006 to 2015
- **Christian Herrault**, Deputy Chief Executive Officer of Operations at Lafarge, supervisor of Syria from 2012 to 2015
- **Bruno Pescheux**, Director of LCS from 2008 to June 2014
- **Frédéric Jolibois**, Director of LCS from July 2014 to August 2016
- **Jacob Waerness**, Norwegian, LCS security manager from September 2011 to October 2013
- **Ahmad Al Jaloudi**, Jordanian, LCS security manager from October 2013 to September 2014
- **Amro Taleb**, Syrian intermediary between LCS and local suppliers of hydrocarbons or raw materials linked to local armed groups
- **Firas Tlass**, Syrian intermediary between LCS and local armed groups – subject to an arrest warrant

What offenses will the defendants be charged with, and what penalties do they face?

All defendants are being referred to the criminal court for **financing terrorist enterprises**, which is punishable under Article 421-2-2 of the Criminal Code. This offense involves providing, collecting or managing funds or property of any kind, or providing advice for such purposes, with the intention of seeing these funds used — or knowing that they were intended to be used — to commit acts of terrorism, regardless of whether such acts ultimately occur.

For committing this offense, individuals are liable to punishment of up to 10 years' imprisonment and a fine of €225,000 (Article 421-5 of the Criminal Code), as well as additional penalties such as disqualification from engaging in the professional activity through which the offense was committed (Article 422-3 of the Criminal Code).

If convicted, Lafarge, as a legal entity, would be liable to pay a fine of €1,125,000 (Articles 421-5 and 131-38 of the Criminal Code), as well as suffer additional penalties, such as exclusion from public procurement contracts or a ban on receiving any public aid from the French state for five years (Art. 131-39 of the Criminal Code).

Natural and legal persons are also liable to confiscation of all or a portion of their assets (Art. 422-6 of the Criminal Code).

It should be noted that in the event of a conviction, the fines assessed will be allocated to the Guarantee Fund for victims of acts of terrorism (Article 422-7 of the Criminal Code).

Lafarge and its four executives are also being prosecuted for non-compliance with international financial sanctions (Art. 459 et seq. of the Customs Code). They are accused of violating European Regulation No. 881/2002 of 27 May 2002, which prohibits the provision of funds or economic resources to certain persons and entities linked to Al-Qaeda, along with, in particular, Implementing Regulation (EU) No. 632/2013 of 18 June 2013, which adds the Al-Nusra Front and the Islamic State in Iraq and the Levant to the list of sanctioned organizations.

For this offense, Lafarge executives face a prison sentence of five years, confiscation of property and assets that result directly or indirectly from the offense, as well as a fine equal to at least the amount involved in the offense and up to twice that amount.

Lafarge as a company faces a fine equal to a maximum of 10 times the amount involved in the offense (Article 131-38 of the Penal Code).

What is the role of ECCHR and Sherpa in this trial?

Sherpa and ECCHR initiated the complaint that led to the opening of a judicial investigation in 2017. In accordance with our organizations' mandate to support victims of economic actors and international crimes in gaining access to justice, we have assisted several Syrian former Lafarge employees in their proceedings before the French courts.

Support from civil society is a crucial tool in reducing the structural inequalities that these victims face in accessing justice. Limited financial resources and unfamiliarity with the French legal system are just a few examples.

As Sherpa and ECCHR are also recognized as civil parties in this case, we have supported the case throughout these nine years of proceedings and will continue to be present during the trial. We will pay particular attention to issues pertaining to the criminal liability of the parent company Lafarge for payments made through its subsidiary, as well as access to reparations for victims.

Who are the other civil parties?

In 2016, 11 former LCS employees joined Sherpa and ECCHR as civil parties. Since the opening of the judicial investigation, other former LCS employees have joined the proceedings, numbering now around 190.

Other associations have also joined as civil parties and will participate in the trial, including the French Association of Victims of Terrorism (AFVT), the National Federation of Victims of Attacks and Collective Accidents (FENVAC), Yazda, the Free Yezidis Foundation. Two Yazidi women are also civil parties.

What about complicity in crimes against humanity and other offenses for which Lafarge has also been indicted?

In June 2018, Lafarge was indicted for complicity in crimes against humanity, financing a terrorist enterprise, deliberately endangering the lives of others, and violating international sanctions, and was forced to pay a bond of €30 million.

The company contested these indictments. In September 2021, the Court of cassation (the French Supreme Court) handed down a [landmark decision](#), in which it confirmed that "*knowingly paying several million dollars to an organization whose sole purpose is criminal is sufficient to characterize complicity through aid and assistance*".

In January 2024, the Court of cassation finally [overturned](#) the indictment for deliberately endangering the lives of others by concluding that the safety protections provided for by French labor law did not apply to Syrian employees.

In 2023, the investigating judges separated the proceedings in two: they closed the investigation into the financing of terrorism and the violation of international sanctions and then ordered a trial to be held on these offenses. The investigation into complicity in crimes against humanity remains ongoing. This offense will therefore not be addressed in the November 2025 trial.

Why should Paris-based Lafarge answer to French courts for actions committed abroad through a Syrian subsidiary?

With regard to the parent company's responsibility for payments made through its Syrian subsidiary, the investigating judges first noted that French parent company Lafarge owned 98.7% of its subsidiary Lafarge Cement Syria (LCS), but also that the former played a very important role, from Paris, in its operational management, leading to the total loss of autonomy of action of LCS. In addition, senior executives of the parent company based in France were allegedly involved in decisions concerning LCS payments to armed groups.

As the acts were partly committed on French territory by managers based at the Paris headquarters, the investigating judges retained their jurisdiction (Art. 113-2 of the Criminal Code). Furthermore, when acts that can be characterized as acts of terrorism are committed abroad by a French citizen, French courts also have jurisdiction (Art. 113-13 of the Criminal Code).

Is there a link between the proceedings before the French courts and those before the US courts?

As part of a plea deal with the US judicial authorities, Lafarge and LCS acknowledged that between August 2013 and October 2014 they had provided material support to the Islamic State and the Al-Nusra Front, two organizations designated as terrorist organizations by the United States. In exchange for the dismissal of the charges, they agreed to pay a fine of \$777.78 million.

As stated in the investigating judges' referral order, this agreement does not prevent Lafarge from being held criminally liable in France, as French courts have jurisdiction to judge acts committed on French territory, even when a proceeding took place abroad on the same facts.

Furthermore, the agreement reached in the United States differs from the proceedings before the French courts, as the latter also concern individuals. The proceedings in France do not rely on any form of negotiated justice mechanism. Instead, they aim to establish, through a public trial, the extent to which the defendants are implicated in the crimes, to determine their criminal liability.

What is the impact of the merger between Lafarge and Holcim on Lafarge's liability?

In 2015, Lafarge and Holcim announced the merger of their companies, initially named “LafargeHolcim”, then renamed “Holcim” in 2021. However, legally speaking, this is not a merger, despite the term used by the companies themselves, but an acquisition of Lafarge by Holcim through a public exchange offer. The French company Lafarge thus became a subsidiary of Holcim, which is now the parent company. As Lafarge never ceased to exist as a legal entity, the question of whether Lafarge’s criminal liability was extinguished as a result of the merger with Holcim does not arise.

What are the implications of this trial for the liability of multinational companies?

To begin with, this is the first time that a French multinational has been brought before the courts on charges of financing terrorism.

Furthermore, the trial of a parent company for acts committed through its subsidiary represents an important step toward holding multinational corporations accountable. The principle of separate legal personality often makes it difficult to attribute to a parent company the violations committed by its subsidiaries.

However, in this case, the [Court of cassation recognized in 2021](#) that the Syrian subsidiary was under the effective authority of the parent company, which controlled the subsidiary's economic and social management, leading to a loss of autonomy. Although it was a distinct legal entity, decisions regarding the continuation of LCS's activities were reportedly made at the French headquarters. The French directors of LCS reported to a director based at the group's headquarters and thus ultimately acted on behalf of the group.

This trial therefore provides a unique opportunity for the French courts to examine the responsibility of multinational companies, particularly when they operate in conflict zones.

<p>Any person accused or prosecuted by a national or international jurisdiction is presumed innocent until found guilty by a final court decision. In this respect, an appealable decision does not constitute a final decision.</p>
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