



ASSOCIATION

Henri Pézerat

Travail • Santé • Environnement

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It will have taken 18 years and an unprecedented collective fight following the AZF industrial accident of September 21, 2001 in Toulouse. Finally, on December 17, 2019, the Court of Cassation confirmed the judgment of the Paris Court of Appeal of October 31, 2017. AZF-Total Grande Paroisse and the director of the factory were definitely condemned.

Press Release, Paris, 18 December, 2019

On October 31, 2017, the Paris Court of Appeal recognized the criminal liability of Serge Biechlin, CEO, and of the company *Grande-Paroisse*, a 100% subsidiary of the Total group, in the industrial accident that occurred on September 21, 2001 in Toulouse on the AZF factory site. This judgment specifically identified the serious breaches, which - closely linked to the strategic choice of the use of subcontracting by the directors of the firm *Grande Paroisse* - structurally created the conditions for the possibility of the industrial accident :

"In view of the breaches identified in the specific safety or prudence obligations provided for by law or regulation: the inadequacy in the identification and assessment of risks; failures in the control of processes by written instructions; the insufficient training and information given to the personnel, the materiality of the fault is incontestably established ". (Judgment of the Paris Court of Appeal, October 31, 2017)

On December 17, 2019, the day of a very significant mobilization against the social policy of the Macron government, the Court of Cassation definitively recognized the legitimate condemnation of Serge Biechlin and of the company *Grande-Paroisse*.

For the Henri Pézerat association, this decision is the result of an immense collective, trade union, associative, legal, and scientific effort, which made it possible to disprove, one by one, all the "false leads" put forward by the manufacturers and their lawyers. As such, the most striking is undoubtedly the fact that not only did those responsible for this disaster refuse to recognize their responsibility at any point, but on the contrary, they obstructed justice by all means possible with the help, among other things, of subservient if not servile experts. And what can be said about the faulty deficiency of the state on all levels but which was consistently granted immunity by administrative justice?

In a context of unequal strength and means and confronted by the steamroller of class justice, the trade unionists, associative activists, lawyers, researchers and the collectives they represent, have not only shown their courage, their unified intelligence and their tenacity, but they have also defended and continue to defend the general interest. Because above and beyond the AZF trial, this is all about the resistance to government methods in dealing with industrial risks and the justice system concerning them.

Other health disasters have occurred and still occur due to the same errors, on the part of industrialists, and the same faulty deficiencies of the state. We will do our utmost to ensure that this conviction sets a precedent and allows progress to be made towards social and political recognition of "industrial crimes" and their being taken into account within the framework of European and French law.

for more information : see the declaration of the CGT and associations : <https://www.asso-henri-pezerat.org/wp-content/uploads/2019/12/conf-de-presse-cgt-17-decembre.pdf>

and the collective book : https://www.syllepse.net/azf-total-responsable-et-coupable- r_46_i_747.html

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