



ASSOCIATION

Henri Pézerat

Travail • Santé • Environnement

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**AZF industrial disaster
of September 21, 2001
in Toulouse, France**

**The Paris Court of Appeal recognizes the criminal liability of both
Serge Biechlin, CEO, and the Grande-Paroisse company,
100% subsidiary company of the Total group**

In the light of the deficiencies pointed out in the specific security or prudence obligations provided by law or regulation : - insufficient identification and risk assessment - failures in the control of processes by written instructions - inadequate staff training and information, the materiality of the fault, concerning accidental damages or deteriorations, is unquestionably established

On October 31, 2001, the judgment of the Paris Court of Appeal, quoted above, accurately identifies the seriousness of the shortcomings that - closely related to the strategic choice of the use of subcontracting by the leaders of the firm Grande Paroisse - structurally created the conditions of possibility of the industrial accident. Yet, the judges make it clear, the recommendation R288 of the *National Technical Committee of the Chemical Industries* underlined before the disaster that "*the elimination of the waste must be considered as an operation related to the manufacturing process and treated as such*". In other words, on the AZF site of the Grande Paroisse company in Toulouse, the management of the chlorinated and ammonitrate waste, incompatible with each other, should never have been subcontracted. Voices have been rising in France for more than 30 years, to call for the prohibition of outsourcing on high-risk sites, because it objectively represents a subcontracting of risks, which can be considered as a structural, permanent endangerment of people's lives.

It is also necessary to note the determining role of the union alert, in the criticism of the conditions of intervention of the subcontracting workers on the site before the accident and above all, the expertise of the Health, Safety and Working Conditions Committee which has allowed the reconstruction of the events, an expertise carried out by the firm CIDECOS after the accident.

The association Henri Pézerat stands in solidarity with the movement – from Toulouse and national, from trade unions and associations – of the professional and environmental victims of the AZF disaster and beyond, with all the victims of occupational accidents, occupational and / or environmental diseases. In spite of the orders of this autumn and in coherence with this judgment, the association mobilizes along with the networks in struggle so that the Health, Safety and Working Conditions Committees remain this specific representative body, having the rights to alert, to investigate and to call on expertise. And we will continue the fight so that the judgment of the Court of Appeal of Paris of October 31st, 2017 concerning the AZF disaster sets a precedent, not only for accidents of exceptional magnitude such as this one, but for all forms of professional and environmental damage related to industrial crime.

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