



History from below



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Turin's tragedy: the fight for justice for ThyssenKrupp steel workers

In the early hours of 6 December 2007, a fire broke out in the Turin steel factory of German multinational ThyssenKrupp, causing the deaths of seven workers: the most serious workplace accident in Italian history. Those involved in this tragic incident speak out about their experience and the trial that followed.

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Writer

On Corso Regina Margherita, beside a long thoroughfare at the western edge of Turin, half-hidden among the vegetation and behind the barred gates, you can just about see the buildings of the 'Germans' factory'. Crumbling walls, dirty windows, rust, leaves; the luxuriant, neglected vegetation of weeds and oak trees covers the derelict, unattended buildings that I can discern in the distance. The wording 'THYSSENKRUPP Acciai Speciali Terni S.p.a.', is still visible on the black metal letterbox attached to the entrance gate, while alongside, on the grass flanking the wire fencing, someone has set up an old pallet with clothing and threadbare fabric, where maybe homeless people have slept the night. On the forecourt, two old high-powered cars have been abandoned, and on the nearby road, vehicles continually flash past like lightning, blindly overtaking each other on the two traffic lanes. Here, where I am looking through the worn mesh of the fencing, in section 5 (stainless steel annealing and pickling), shortly after midnight on

6 December 2007 the plant was restarted after a maintenance shutdown. The belt scraped in an abnormal way against the metal structure, producing sparks and then a fire, caused by paper soaked in oil that had leaked from the worn circuits of a piece of equipment that was already being dismantled. The flames burned a pipe in the hydraulic system, from which oil sprayed out at high pressure, catching fire and creating an inferno of 10-metre-high flames that engulfed the bodies of seven workers. Giuseppe Demasi, Angelo Laurino, Roberto Scola, Rosario Rodinò, Rocco Marzo, Bruno Santino and Antonio Schiavone died of their burns from the blaze; only Antonio Boccuzzi survived.

As soon as the fire broke out, Piero Barbetta, another worker, rang 118 to call for help. On the tape, you can hear the full, terrible drama of the tragedy in his voice: 'I'm ringing from ThyssenKrupp. Listen, three or four guys have been burned.' The voice at the other end of the line replies: 'What's your firm?' They ask him what state the victims

are in. 'They aren't completely burned, they're moving, we've tried to put out the flames,' replies the caller agitatedly, his voice breaking up. In the background, you can hear a man crying: 'Help...' And Barbetta is talking to someone there with him: 'Sit them down, sit them there... No, nooooooo.' You can hear one of the men with serious burns shouting out: 'I don't want to die, I don't want to die!' Some of them died on the day of the accident, others in the days that followed, a long drawn-out death for those of them with 80-90% burns. It went on for weeks: the last to die was 26-year-old Giuseppe Demasi – after four operations, his heart gave out on 30 December.

Holding those responsible to account

Six months earlier, the unions had signed an agreement with ThyssenKrupp, Europe's biggest steel company, on the closure of the plant. Fausto Durante, then the national leader of the FIOM (Federation of

Metalworkers) for the steel sector, remembers what he calls the 'ice-cold gaze' of CEO Harald Espenhahn during the negotiations, the 'glacial', authoritarian attitude of someone who had already decided on the factory's fate. 'We reached a German-style agreement, very favourable to the workers, with relocation to the Terni plant, travel expenses, big incentives,' he says. 'The company had started dismantling the plant, but in the meantime production was still going on intensively and in ever more insecure safety conditions. The more the place was dismantled, the more the attention of top management waned. And, on top of that, there was the problem of human resources that had switched to other companies; with staff numbers falling, there were people working there for 12 hours. This combination of neglected plant, reduced safety levels and workers doing unsustainable hours led to Italy's worst steel industry tragedy ever.' The line must never stop, the furnace must never go out, and, under the national contract, if no one arrived to take over, the worker had to stay until the end of the following shift.

The victims' relatives would like this phantom factory that I'm standing in front of to be demolished, because, in their view, it offends the memory of the victims. But as a former industrial area the land would first have to be remediated. Fifteen years on, they are still waiting for justice. The proceedings came to an end on 13 May 2016 when the Supreme Court of Cassation upheld the convictions of the first-instance trial of 15 April 2011 (which had already been reaffirmed on appeal in 2013) for the six managers of the German company for the crimes of multiple manslaughter, negligent arson and wilful failure to take precautions to prevent workplace accidents. Former CEO Espenhahn had his sentence reduced from ten years to nine years and eight months (he had initially been sentenced in 2011 to 16 and a half years), while Marco Pucci and Gerald Priegnitz were given six years and ten months, Daniele Moroni seven years and six months, Raffaele Salerno seven years and two months, and Cosimo Cafueri six years and eight months. Furthermore, it was found that there was

no case of murder, as had originally been laid against the former CEO by public prosecutor Raffaele Guariniello.

The main charge was that Espenhahn had deliberately chosen to postpone the work on safety assurance at the Turin plant to a date after the planned date for closure and transfer of the machinery to Terni, thus taking on the risk of any fatal accidents. However, under the agreements between Italy and Germany on criminal matters, the two German managers were able to serve the sentence in their country of birth for the maximum period laid down by their

↓ The coffin of 26-year-old Giuseppe Demasi, the last victim of the accident, carried at his funeral in Turin on 3 January 2007.
Photo: © Belga



penal code. And, in June 2020, the Essen public prosecutor authorised a day-release scheme, meaning that they are now free to go out and work during the day but spend the night in a cell. Espenhahn was seen out of prison and jogging near his home, not far from Essen, on an Italian television programme, *‘Le iene’* (‘The hyenas’). He is now waiting for the German Constitutional Court to give a ruling on the appeal he lodged, claiming infringement of the right of defence, with the possibility that the Court would find against him and impose full imprisonment in the true sense. Such a result is what had been hoped for by Martin Schulz, the President of the European Parliament, who, on 30 August 2013, during a visit to the ThyssenKrupp factory in Duisburg, expressed himself in no uncertain terms: ‘I know all about the very serious accident in Turin. There can be no ambitious European industrial policy without standards. We are uncompromising when it comes to workers’ safety. The people responsible for tragedies like this must pay.’

The promise of a historic verdict

The Deputy Public Prosecutor, Raffaele Guariniello, who carried out the preliminary investigations, the indictment and the prosecution’s closing arguments during the trials, has a clear memory of that time. ‘It was three months of intensive work, that’s how long the preliminary investigations took, day and night. Forty thousand pages of documents, more than 100 witnesses heard.

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The ThyssenKrupp case avoided a time bar for the very reason that the investigations took less than three months, and not because the prosecutors were better than the others, but because they belonged to a group of judges that had been specialising in occupational safety for years,’ he maintains. This is why the investigations focused not only on the criminal liability of the individuals accused, but also on the company’s liability. ‘Never before had a prison term of nine

↳ Antonio Boccuzzi, the only worker to have survived the fire.
Photo: © Angelo Ferracuti



years and eight months been handed down to senior management for an accident at work. But, when this went to trial, there was widespread disbelief. One professor wrote in a newspaper about the risk of “extreme pursuit of justice for its own sake”, saying “with judgments like this, the industrial system could be placed in jeopardy and foreign entrepreneurs deterred”.

Indeed, one month after the first judgment – in May 2011 – the ThyssenKrupp CEO was greeted on arrival at the Confindustria conference in Bergamo with a spontaneous roar of applause in solidarity, and around the same time the then president of the employers’ association, Emma Marcegaglia, made a chillingly cynical statement: ‘This is a first for Europe. If something of

Labour) offices in via Pedrotti. ‘It reminded me of applause elsewhere,’ he said in an interview with the daily *La Repubblica*, ‘the applause we heard on the day of the funerals, when the coffins were brought out onto the square in front of Turin Cathedral and people hailed my workmates as heroes. And then the applause on the evening of the judgment.’

Young workers in difficult times

Beside Boccuzzi is Giorgio Airaud, a long-standing trade unionist and, at the time of the events, the secretary of the metalworkers’ union, the FIOM. Now, sitting in front of me in the meeting room on the fifth floor, they talk about the climate in those years. ‘It was a difficult time. But then the city has never really recovered from the industrial decline of the early 1980s,’ says Airaud with harsh but carefully chosen words. ‘It’s a downward slope. The idea that, along with social insecurity, industrial decline also brings a risk to life is contemptuous. I remember a meeting at the end of July when a delegate from the FIM-CISL (Italian Metal-Mechanical Federation) said to me: “You see these arms, trade unionist? Just get me the money to buy an Audi A4, I’ll find another job.” We were trying to persuade the workers to relocate, but lots of them wanted to make money. They had more of a consumer, market-oriented mindset.’ It was a new working class: backpacks had replaced the old Fiat workers’ duffle bags, people weren’t working to start a family any more, to get a mortgage to buy a house; now they were workers that he describes as part of the consumer culture.



↳ Giorgio Airudo,
regional secretary of the
Fiom CGIL in Turin.
Photo: © Angelo Ferracuti

‘This is what I live with – I can’t watch films where people get burned, because I’ve seen them in real life.’

‘In a very short space of time, one generation had given way to the next. I was 34 the year the accident happened, and I was one of the oldest,’ comments Boccuzzi. ‘Three of the young men who died were 26. There was a completely different way of looking at the workplace.’ They called it the ‘boys’ factory’: of the 180 workers still employed there, 90% were under 30. The Turin plant was to close six months later, but in the meantime management stopped investing in maintenance: ‘On the contrary, they had an incentive to save on costs,’ Airaud points out. ‘At the same time, because some machinery had been closed down at Terni, they needed to produce more, but on plant that was no longer being maintained or updated, with a fire-fighting system that no longer met the standards. And then there was also a great deal of willingness on the part of the workers, who, with the spectre of closure and the uncertain future, were prepared to do more overtime shifts, as long as they could take more money home.’

Specifically on line 5, a document found in the CEO’s briefcase stated that cleaning and maintenance work was to be carried out only after the machinery had left Turin and been taken to Terni, and not before. ‘The original charge of second-degree murder at the start of the trial and the 16-and-a-half-year sentence for Espenhahn was significant,’ says Boccuzzi. Airaud adds: ‘Guariniello was farsighted. To be able to say that it was murder, that would have been a new frontier in workers’ protection; to maintain that managerial policy also has an impact on health protection to the point of being able to prevent or cause people’s deaths. It’s even logical, but to be able to write it into law would have been a major step.’ After so many years, he says that he has a sense of ‘moral guilt’. ‘I wonder whether I could have done something more and better,’ he says gravely. ‘As a trade unionist, when someone dies at a workplace where the union is present, when they die in a massacre – yes, a massacre, because it wasn’t an accident – in

a company that was closing, where there was an agreement, a process... I wonder whether I should have insisted at that meeting on getting it closed down earlier.’

Antonio Boccuzzi tells me about feelings of guilt too, lowering his voice. ‘They always stay with you’, he confesses, emotionally, ‘when you’re the only one left alive, but also because of not managing to avoid the tragedy that night, even if I’m certain I couldn’t have done anything more. And then I had a role to play too, because I was a trade unionist...’ He can never shake off the memory, even though so many years have passed. At first, he used to spend his days by the Thyssen tree, then he used to go to the cemetery. ‘There was a tree in front of our factory that had become a symbol,’ he explains. ‘The people of Turin came to pay their respects to the guys who had died in the blaze. They brought wreaths, flowers, people had hung their photos there, that’s what it was like at first.’ He says that, in the houses of his dead workmates, their mothers had turned the walls ‘into shrines’, where they had hung the photos of their boys; among the grief-stricken family members, some fell ill, some even died. ‘There are some things I find hard to face up to. For me, fire has become something that makes me uneasy. Even a film where there’s an explosion reminds me of that night straight away. I see the battered bodies, grotesquely, with 90% burns, still walking. This is what I live with – I can’t watch films where people get burned, because I’ve seen them in real life,’ he says, ‘I really saw those people, really saw them, it was no fake.’ ●