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**ETERNIT APPEAL OF COURT OF ASSIZES**

By

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Eternit Bis trial, act two. Specifically, this is the second act of the “**Casale branch**” of the **Eternit Bis judicial case**: the case against defendant Stephan Schmidheiny will be heard by the Court of Assize of Appeal for the second-degree assizes trial. Prosecutors reiterated the charge of the murder (*omicidio doloso*) of some 400 residents from the town Casale and the province of Monferrato killed by mesothelioma as a result of inhaling asbestos fiber from the Eternit plant. The Swiss businessman Schmidheiny is the last living Eternit owner. He will be 78 years old at the end of October.

The Eternit Bis appeal trial will begin on **Wednesday, Nov. 13**, in Maxi Courtroom 1 at the Turin courthouse. The courtroom is well known to the Casale community, who attended the hearings of the so-called Eternit Maxi-trial 1 (held between December 2009 and June 2013) in which Schmidheiny and up to a point Belgian co-defendant Louis de Cartier, subsequently deceased, was tried for another crime: willful disaster caused by asbestos used in Eternit's production cycle. The Casale plant was operational for 80 years, including 10 years between 1976 and 1986, when the Swiss industrialist was at the head of the international industrial giant. Schmidheiny was convicted in the court and appeal (sentenced to 18 years) for the disaster. The Court of Cassation quashed the verdict because of the statute of limitations without acquitting the defendant.

The Turin prosecutor's office later filed the Eternit Bis case, no longer as an intentional disaster, but as voluntary manslaughter referring to individual cases of mesothelioma deaths. The proceedings were then heard as four cases according to the location of the victims. The largest one, for 392 deaths in Casale and the surrounding Monferrato towns, was heard at Vercelli Court of Assizes. Unlike the Turin Public Prosecutor, the Vercelli investigating magistrate reiterated the charge of willful murder and remanded the defendant for trial before the Novara Assize Court. The verdict was read on June 7, 2023: the crime was downgraded from willful to unintentional to culpable, with aggravating circumstances in certain cases - of willful knowledge. The defendant was sentenced to 12 years for a number of victims, acquitted for others; other cases fell under the statute of limitations.

Below is the link to the report on the sentencing already published by the trial court on this site. <https://www.silmos.it/schmidheiny-colpevole-inflitti-12-anni-per-plurimi-omicidi-colposi/> Both prosecutors Gianfranco Colace and Mariagiovanna Compare and defense attorneys Astolfo Di Amato and Guido Carlo Alleva appealed the verdict.

Now comes the appeal court proceeding at the Turin Court of Appeal. In addition to Nov. 13, **five subsequent hearing dates** have been set: Nov. 20 and 21, Dec. 4, 11 and 18.

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## **PREVIOUS REPORTS ON THE VERDICT AND GROUNDS FOR APPEAL**

(links below are all to Italian and English translation)

Dec. 5, 2023 with the **grounds for the judgment handed down by the Novara Assize Court** (following the judgment on June 7, 2023)

- <https://www.silmos.it/in-oltre-mille-pagine-la-corte-dassise-spiega-perche-ha-condannato-schmidheiny/>

- January 16, 2024 with the **announcement that the judgment would be appealed**

- <https://www.silmos.it/eternit-bis-si-impugna-la-sentenza-di-primogrado-il-processo-ora-va-in-corte-dassise-dappello/>

- on February 19, 2024 with two separate articles each containing **the respective grounds of appeal** by the prosecutors and defense counsel.

- <https://www.silmos.it/eternit-bis-anche-la-pubblica-accusa-ha-impugnato-la-sentenza-della-corte-dassise-ecco-i-motivi/>

- <https://www.silmos.it/eternit-bis-ecco-perche-i-difensori-di-schmidheiny-contestano-e-impugnano-la-sentenza-dellassise/>

## **THE APPEALS ADDRESSED TO SCHMIDHEINY - RESTORATIVE JUSTICE**

Here are links to articles containing appeals to the philanthropic spirit of entrepreneur Stephan Schmidheiny.

<https://www.silmos.it/eternit-bis-la-lunga-attesa-del-verdetto-e-ora-signor-schmidheiny-comprina-casa-farmaceutica/>

<https://www.silmos.it/lettera-aperta-a-herr-stephan-schmidheiny-nella-giornata-delle-vittime-dellamianto/>