

They Are Always There

This year, for the association of victims of the Mont-Odile crash, it's appeal. This has gone on for seventeen years.

“At the start, the most pessimistic thought that this would finish in five or six years”, remembers Pierre Lotta, one of the crash survivors. Seventeen years later he is still here, ready to cross the country to attend the association's general assembly, held last night in Strasbourg. And this new year will see yet another judicial step in the long journey of the case of Mont Sainte-Odile.

“Responsibility rather hastily denied”

2006 saw the first trial, 2007 an appeal, 2008 the court's judgment, “a new catastrophe” according to the president Rendon. And 2009 will not end without a decision from the Supreme Court of Appeals: “The case should be examined in June, probably in the last trimester,” foresees Mr. Gaschignard.

Battered, ECHO has appealed to the generosity of its members to find the 30,000 Euros necessary to continue the legal battle. “We pay a steep price because we are convinced,” summarizes the president. The Parisian attorney, Mr. Gaschignard, is charged with defending the case in appeals: “Our approach is not senseless,” he assures.

Mr. Gaschignard found “significant mistakes of law,” “blatant” faults where the court detected “indirect” errors. He is focusing on the air traffic controller as well as the civil aviation officials and the lack of a ground warning system: “It has been explained that, in any case, this equipment is not always reliable. It's as if someone sold you a car without brakes, telling you that in any case people run red lights.” Airbus alone is targeted under the civil angle: “Its responsibility was rather hastily denied,” explains the attorney for ECHO. “Whether the descent was voluntary or not, the manufacturer's responsibility is bound.”

Even if Bernard Ziegler “escapes” at the appeal, the Airbus' former technical director will always be talked about in the victims' association. “In his last book, he describes me as a 'guru,’” specifies Alvaro Rendon.

The appeal to the Supreme Court will also be bolstered by ECHO's challenge on the issue of recourse to an expert during the course of the trial to translate the witness statements. “We are not there to cry” rages Alvaro Rendon, “not there for mourning as we have been reproached.” President Rendon foresees contacting the Minister of Justice to ask that the victims' associations are consulted regarding trial reform.

Ph.M.

Jim's View:

He recorded 14 hours of testimony. For his film *La Vérité du Ciel* Jim McSherry kept 26 poignant and genuine minutes. One sees wives, husband, daughter, sons of victims of the Mont Sainte-Odile crash talk of the suffering of absence, testify to the inconsolable pain of loss.

Jim threw himself into this venture after the loss of his brother, killed in an plane accident in the US in 1994. He is not interested in the judicial truth but the truth of the heart and turns his camera towards

the faces and eyes of the families.

The director from Boston wants to make the same film in the Middle East then in Africa to show the power of love, the pain of loss are the same everywhere. He screened his film yesterday for the ECHO general assembly and is looking for partners.

Derniers Nouvelles D'Alsace, Sunday January 18, 2009.