

## Damning Report on Loss of Erika

The expert report on the loss of the Erika oil tanker on 12 December, 1999 off the coast of Brittany, was transmitted to the plaintiffs on 4 October 2001.

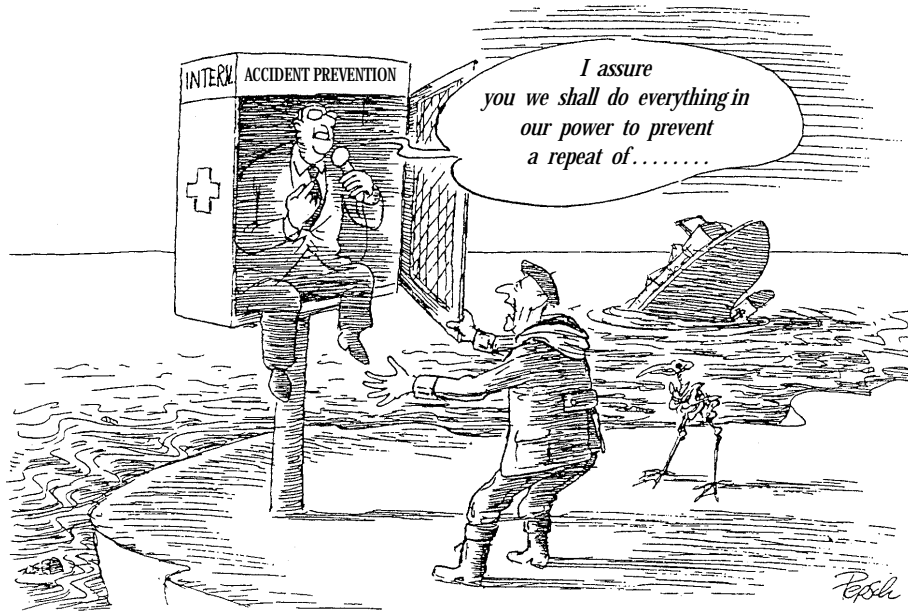
The report, which had been requested by the investigating magistrate, places considerable blame on the Franco-Belgian oil company TotalFina, the Italian ship inspectors Rina and the French State.

According to the report, which was drafted by two maritime experts with the French Cour de Cassation, the Italian ship inspection body Rina, which inspected the most recent work carried out on the vessel, is directly culpable since replacement steel deck panels fitted to the ship were not the correct width, a factor that contributed directly to the loss of the tanker.

The report also indicates that the Erika's seaworthiness certificate expired in November 1999 and was therefore invalid. The tanker, said to be "in a perilous state", should therefore not have been available for charter to TotalFina.

The tanker, which was rarely chartered by oil companies (BP rejected the vessel in 1997 and Shell in 1998) bore traces of corrosion on its bulkheads and hull, evidence disregarded by TotalFina.

The report indicates that the maximum authorised load of 30,000 tonnes was exceeded and that the ship was carrying insufficient fuel. According to the experts, this last factor had a direct impact on the control of the ship, contributing to its loss. They place the blame on the Captain,



*News from Brittany*

Courtesy: SZ

the charterer and TotalFina for allowing the vessel to put to sea under such conditions.

The experts argue that TotalFina acted in a "cavalier fashion" giving out precise instructions but failing to act accordingly when informed of the serious problems on board.

Finally, the report criticises the management of the accident by French State services, which failed to grasp the gravity of the situation. The experts indicate that by persisting in the belief that the incident was a false alarm and that the vessel's crew had the situation in hand, the maritime prefecture failed to implement its own emergency procedures. (MJ)

