

Rocknes Claims Appeal Dismissed

The Appeals Selection Committee of the Supreme Court in Norway has unanimously rejected the appeal which was filed when the State of Norway was earlier this year acquitted of the original NOK580 million claims of damages made after the Rocknes accident in 2004. Eighteen seafarers lost their lives and a large amount of oil was spilt along the Norwegian coastline when M/V Rocknes hit a shoal in the narrow Vattlestraumen passage near Bergen, Norway, on 19th January 2004. Cleaning costs amounted to more than NOK120 million.

A district court first ordered the State of Norway (i.e. the Norwegian Coastal Administration and the Norwegian Hydrographic Service) to pay close to NOK23 million in damages for having failed to include the shoal which the bulk carrier hit, in the Notices to Mariners published by the Norwegian Hydrographic Service.

The reason for not publishing the shoal of 9.4 metre was its proximity to the existing danger line in Norwegian Chart number 21 from 1941, in addition to its location within the red sector of Hilleren lighthouse. The new chart number 21, with depth contour lines instead of danger lines, was published and distributed in 2003.

In January 2011, the verdict was overturned by the Court of Appeal, which stated that the accident was most likely caused by navigational error by the ship's crew.

To sail a ship the size of Rocknes through this narrow passage is demanding under normal conditions. Limited visibility from the navigation bridge of the ship, strong currents and stability problems made for an even more demanding situation and therefore required very thorough planning and monitoring.

The Court of Appeal clearly stated that the responsibility for safe navigation always lies with the ship's captain and navigator, and not with the mapping agency that provides quality-assured nautical charts.

The shipping company and several insurance companies appealed the case, but now the Appeals Selection Committee of the Supreme Court has ruled that the verdict from the Court of Appeal stands.

This outcome finalises a 7,5 year long judicial process that has demanded enormous resources from the Norwegian Hydrographic Service. "Though we shall never forget that eighteen lives were lost at sea, we are relieved to have this final verdict", says director of the Norwegian Hydrographic Service, Evert Flier.

See also the Feature in Hydro International:

[The 2004 Rocknes Drama](#), April 2009

[M/V Rocknes: Laying the Blame](#), November 2009