

NOTICE
IN THE REPUBLIC OF MAURITIUS
COURT OF INVESTIGATION – MV WAKASHIO

The Government has set up a Court of Investigation having as Chairman, **Mr Abdurrafeek Hamuth, GCSK, former Puisne Judge**, and **Mr Jean Mario Genevieve**, Marine Engineer/Marine Surveyor and **Mr Johnny Lam Kai Leung**, Marine Surveyor, as members, to investigate into, and report on, inter-alia, the circumstances leading to the grounding of the MV Wakashio off the coast of Pointe d’Esnay on 25 July 2020 at around 19.30 hours and the breach of its hull.

The terms of reference are as follows:

TERMS OF REFERENCE OF THE COURT OF INVESTIGATION FOR MV WAKASHIO

- (a) To investigate into, and report on, the circumstances leading to the grounding of MV Wakashio off the coast of Pointe d’Esnay on 25 July 2020 and breach of hull of the said vessel, including whether in regard to the shipping casualty that occurred on 25 July 2020 involving MV Wakashio, the standard practice and procedures for the tracking and monitoring of vessels in our territorial waters have been followed;
- (b) To determine the cause, scale and extent of the damage caused by MV Wakashio, including the oil spill in the Mauritian waters and assess the resulting damage to the marine and coastal environment and marine life;
- (c) Whether there was proper management and supervision of the salvage operation of MV Wakashio by the ship owner, insurers and authorities in the aftermath of its grounding;
- (d) Whether there was proper management of the planned sinking of the wreck or part thereof in the aftermath of the grounding of MV Wakashio;
- (e) Whether there was proper management and supervision of the shipping casualty;
- (f) The effectiveness of the overall preparedness and response of the relevant authorities in relation to the shipping casualties leading to the grounding and breach of the hull of MV Wakashio; and,
- (g) Any other matter connected with or relevant or incidental to, paragraphs (a) to (f) above, and make recommendations as appropriate.

The Court of Investigation invites any person and/or appropriate Association/Organization who/which has credible information on the subject or wishes to depose before the said Court of Investigation, to inform the Secretary in writing, together with a brief statement on the specific issue which he/she/it wishes to bring to the attention of the Court of Investigation, and this not later than Friday 16 October, 2020 at the following address :

E-mail : mvwakashio@govmu.org

Or

Postal add: **Mr. A.M.Jeenathally,**
Secretary, Court of Investigation MV Wakashio,
Ex Commercial Court Building,
Pope Hennessy Street,
Port Louis.

The Court of Investigation further welcomes recommendations from members of the public, and any person and/or appropriate Association/Organisation who/which wishes to be heard by the Court of Investigation will be required to furnish his/her/its full name, profession/ field of competence, as the case may be, and address (postal and electronic) and a contact telephone number so that he/she/it may be informed as to the date and time he/she/it may be called to depose before the Court of Investigation.

The hearing will be open to the public. Access will, however, be limited to the space available in the Court Room in strict compliance with Covid-19 Sanitary Protocol.

For further information, please contact the Secretary of the Court of Investigation by mail at the following address: mvwakashio@govmu.org or on : 210 1783/ 5 704 3794 during office hours.

A M Jeenathally

Secretary, Court of Investigation MV Wakashio

18 September 2020.