

Spanish train crash driver accused of reckless homicide

Alejandro López
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Francisco José Garzón Amo, the 52-year-old driver of the train that crashed on Wednesday leaving 79 dead and over a 100 injured, has been accused of reckless homicide.

The judge in charge of the investigation has ordered the police to gather together documents, reports, videos and the black box from the train, and other evidence relating to the crash.

The high-speed train carrying 218 passengers derailed at Angrois, on the outskirts of Santiago de Compostela, the regional capital of Galicia in northwest Spain, on its way from Madrid to the coastal city of Ferrol. All 13 carriages came off the tracks as the train rounded a sharp double bend. Four carriages turned over, one split in half and another caught fire.

The media, government officials and the representatives of the train operator Renfe and the rail infrastructure company Adif have initiated a witch-hunt against Garzón, making him the person solely responsible for the tragedy. The accepted legal position that someone is innocent until proven guilty has been all but brushed aside.

Interior Minister Jorge Fernández Díaz declared that “he [Garzón] has been arrested by the police because there are reasonable grounds to believe that he may have been responsible for what has happened.”

Hours later Fernández, along with the president of the Galician regional government, Alberto Núñez Feijóo, and Infrastructure Minister Ana Pastor made a statement in the police station where Garzón had been sent.

“He has been discharged [from hospital] and is in this police station”, stated Fernández. “He is accused”, said Pastor, “for the alleged crime of reckless homicide.”

After his arrest on Friday, the driver, who had sustained head injuries, two broken ribs and a fracture

that affects his lung, was interrogated by the police, who attempted to extract a preliminary statement. Garzón exercised his legal right not to answer the questions.

The media has bombarded the public with photographs of a speedometer that Garzón posted on his Facebook page in March 2012, showing that he was going 200 kilometres per hour. However, there is no comment indicating where the photograph was taken and 200 kilometres per hour is common for high-speed trains.

Adif President Gonzalo Ferre participated in the media scapegoating of Garzón. He stated that “four kilometres before the location of the accident, [the driver] was notified to reduce his speed, because as he comes out of the tunnel he has to be going at 80 [km/h].”

Even before investigations have been completed, Ferre declared that all Adif’s security systems worked and that, in any case, the driver’s main function is to control the speed, “otherwise he would be another passenger”. He ruled out any “black spot” in the network.

The A Grandeira curve where the train derailed was always a potentially dangerous hazard on a route where trains alternate between the Spanish High Speed (Alta Velocidad Espanola, AVE) lines and conventional track. On top of this, the train had to reduce its speed in a matter of seconds. Spanish journalist Miguel Murado told the BBC that there had been concerns about the curve since the line opened two years ago, explaining: “People who travelled in the train felt that it was dangerous that the train had to go from 200km/h to 80km/h in just a matter of seconds.... They felt that was a very difficult manoeuvre for the driver to execute.”

The accident could have been averted had the most

modern train safety systems, such as the European Train Control System (ETCS), been installed. These use equipment on the track and in the driver's cab to replace traditional trackside signals and control the speed and movement of the train automatically. The ETCS system exists in parts of Spain's railway network, including an earlier section of the route Garzón's train had travelled from Madrid. However, the accident took place on a track with the older signalling system ASFA, which warns but does not control the train speed.

Francisco José Garzón has spent 30 of his 52 years working as a train driver. Originally from Monforte de Lemos (Lugo) and resident in A Coruña, he spent the last year driving trains along the route where the accident took place. In 1998 he was promoted to assistant driver and in 2003 to driver.

Work colleagues have come to Garzón's defence. One worker told *El País*, "One would expect it from anyone except him."

Another, Ángel Rodríguez, said, "Yesterday on a terrace in Ourense I heard on the table next to ours that the driver had had several accidents. I've known him since 1982 and he has not had any negative record against him."

Another worker furiously denounced the Facebook photographs of the speedometer, stating that "what are they being scandalized for? That is the normal speed of these trains."

There are more reasons behind the campaign against Garzón than just the attempts to cover up the potentially dangerous A Grandeira curve or the train control system. Nuñez Feijóo expressed the fears of the ruling elite about the effect the accident might have on Spain's export markets, declaring, "Spain, in high-speed and high-speed security is one of the best in the world, although some countries are not interested in this fact. It is not a political opinion, but technical."

He suggested that "economic interests by certain companies or high-speed providers" wanted to discredit the Spanish rail system to eliminate competition.

Spain has 3,100 kilometres of high-speed rail routes and is now second in the world behind China. The construction became a top priority of successive Spanish governments after the first high-speed route between Madrid and Seville was inaugurated in 1992.

This has generated a powerful industry that pockets

€5 billion a year and exports 60 percent of its production. In 2012, when most of Spanish industry was suffering in the global slump, the high-speed industry was about the only sector to see its exports grow. Its success resulted in the largest contract awarded to a Spanish multinational valued at €16.7 billion for the construction of a high-speed rail route in Saudi Arabia.

With the tragedy in Santiago de Compostela, international megaprojects such as the contract for the high-speed train between Sao Paulo and Rio de Janeiro in Brazil worth €12 billion are at risk, as are the contracts in Kazakhstan, the lines between Moscow and Saint Petersburg worth €14 billion, and between Sacramento and San Diego in the US worth around €60 billion.



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