

Captains in the firing line

Captain Apostolos Ioannis Mangouras, master of Prestige, was released on February 12 after 85 days in custody in a high-security Spanish prison. He was freed after London Steamship, the Prestige's P&I Club, had agreed to pay the Euro 3 million bail sought by the Spanish authorities.

His release was welcomed by a host of maritime bodies, including the Round Table of Maritime Associations, en-compassing BIMCO, ICS, INTERCARGO and INTERTANKO. This group had condemned the detention of Captain Mangouras by the Spanish authorities throughout his incarceration, querying the legality of his imprisonment for such an extended period before any formal enquiry or legal proceedings had been initiated.

The Round Table also said that the bail figure that was set was totally unreasonable, and that a precedent has been set for a yet more excessive demand in any such future incident. Captain Mangouras was guilty of no navigational error as the incident unfolded and, in fact, remained with his stricken ship throughout attempts to salvage the vessel. Even allowing for inflation, his bail is nowhere near the \$50,000 bail set for Joseph Hazelwood, the master of Exxon Valdez.

The four Round Table associations joined other commentators in decrying the criminalising of ship masters and senior officers after a casualty, believing that this is not only indefensible in human terms, but also inhibits timely and efficient accident investigations. The Round Table believes that early discussions are needed to address the insidious trend towards the designation of the master as the scapegoat after any maritime incident.

The Nautical Institute is currently running a campaign against the mistreatment of ship masters. Bahamas, the ship's flag administration, is being encouraged to take up the case against Spain with the International Tribunal on the Law of the Sea.