

Date: 21 December, 2021

Captain and Chief Officer of Wakashio Found Guilty for 2020 Grounding



Nearly 18 months after the Japanese-owned bulk carrier went aground on Mauritius causing one of the worst environmental disasters, the captain and first officer of the Wakashio were found guilty on December 20 by a magistrate on the island. The two officers informed the court last week that they were pleading guilty to the charges of “Endangering Safe Navigation” under Mauritius’ Merchant Shipping Act 2007. They will be sentenced on December 27.

The grounding drew international attention as the bulk carrier broke in two and spilled an estimated 1,000 tons of bunker fuel that damaged fishing grounds and washed ashore including in an environmentally sensitive marine reserve. The remains of the ship were recently removed from the reef, but islanders continue to report finding oil residue on the beaches.

The captain of the Wakashio, Sunil Kuman Nandeshwar, an Indian citizen who said that he has 34 years of experience in navigation, apologized to the country for the damage the vessel had caused. During the investigation and in statements made to expert witnesses

and the court, the captain confirmed many of the issues that leaked into the media. He said he had attended a birthday party where he had several drinks. The crew had been at sea since the vessel departed Singapore on July 14 and the 58-year-old captain said anxiety was high among the crew who could not contact their families and were worrying about the outbreak of COVID-19.

At around 5:30 p.m. the captain ordered that the Wakashio change course to approach Mauritius so that they could obtain a wi-fi signal from shore and that the crew could call home to speak to their families. The first officer, however, permitted the vessel's Lookout Officer to remain at the birthday party not supervising navigation.

At 7:10 p.m. local time the coast guard and shore stations from Mauritius attempted to contact the Wakashio but did not receive a reply. Over an hour later the captain reported to the coast guard that the vessel had run aground.

The court of inquiry found that the vessel was functioning properly with no mechanical defects. The inquiry found, "the Voyage Data Recorder (VDR) had revealed that the vessel was not being properly monitored," as it approach Mauritius. The captain reportedly said that "the sea was bad but visibility was clear," and he felt that the navigation could be done safely. He said it did not occur to him that they were sailing so close to the island and he had not intervened because "I had had a few drinks."

The vessel's first officer, Hitinamillage Tilakarathna Subodha, a 45-year-old Sri Lanka citizen, appealed for clemency from the court. He said that he has not seen his family in a year and a half and missed them.

There was no indication of the fate of the other crew members from the Wakashio who have been detained on Mauritius since the grounding in July 2020.

The Government of Mauritius yesterday also announced that a compensation settlement has been reached with the insurers of the Wakashio for the fishing community. Each of approximately 825 fishermen and 174 fishmongers who lost their livelihood will receive a payment of approximately \$2,500. The government said the figure was arriving at calculating the average income of the last three years for the individuals.

Separately, the owners of the Wakashio and their insurers have been petitioning Mauritius' Supreme Court to limit individual claims. Reports indicate that claims related to the accident filed by the government and individuals totaled about \$46 million.