

Stowaways and Refugees

Capt. Simon Rapley, Michael Robertson & Ilka Beck



Stowaways

What is a stowaway?

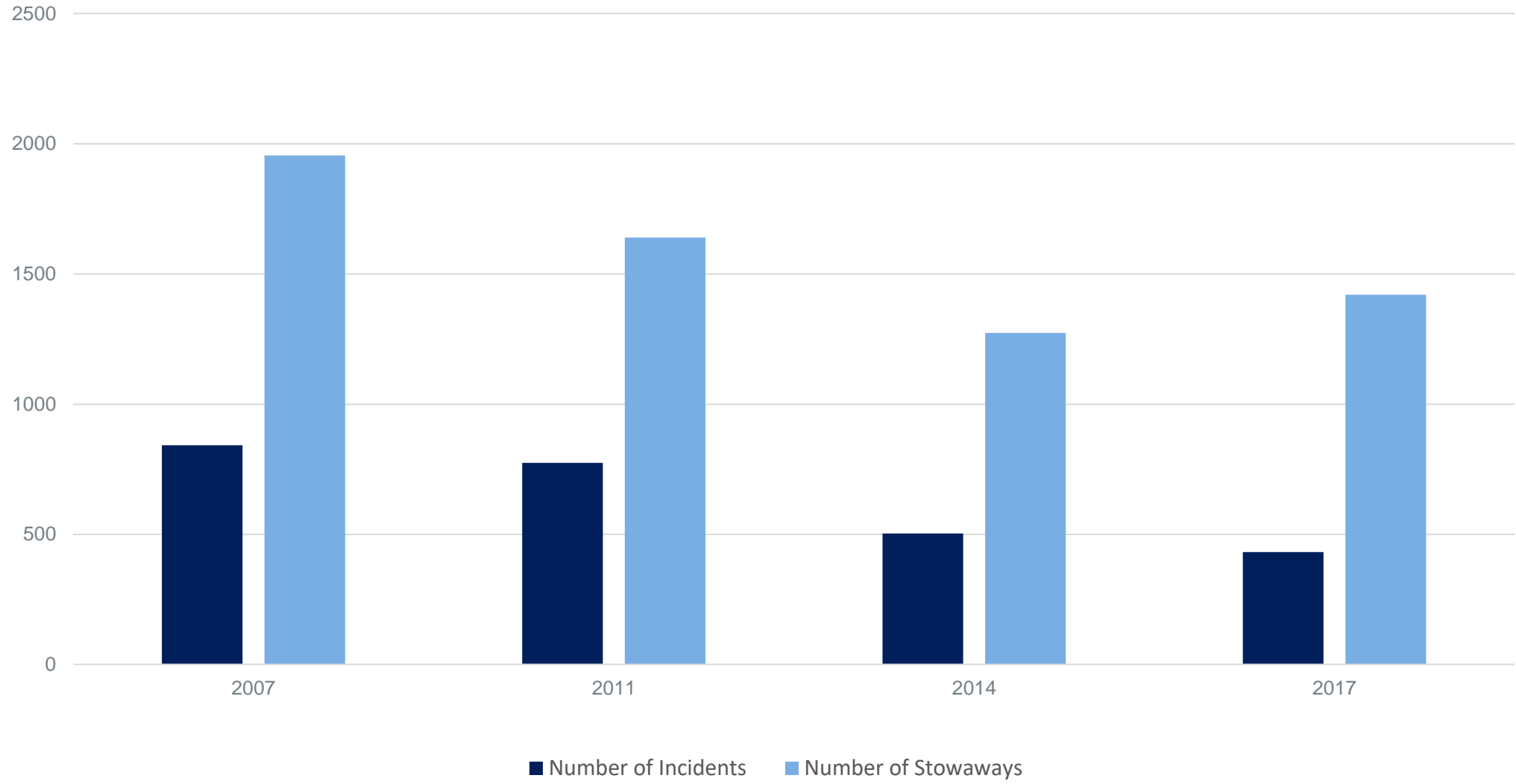
- IMO FAL Convention 1965, (Facilitation of International Maritime Traffic) as amended:
 - *A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the Master or any other responsible person and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities".*

Stowaways

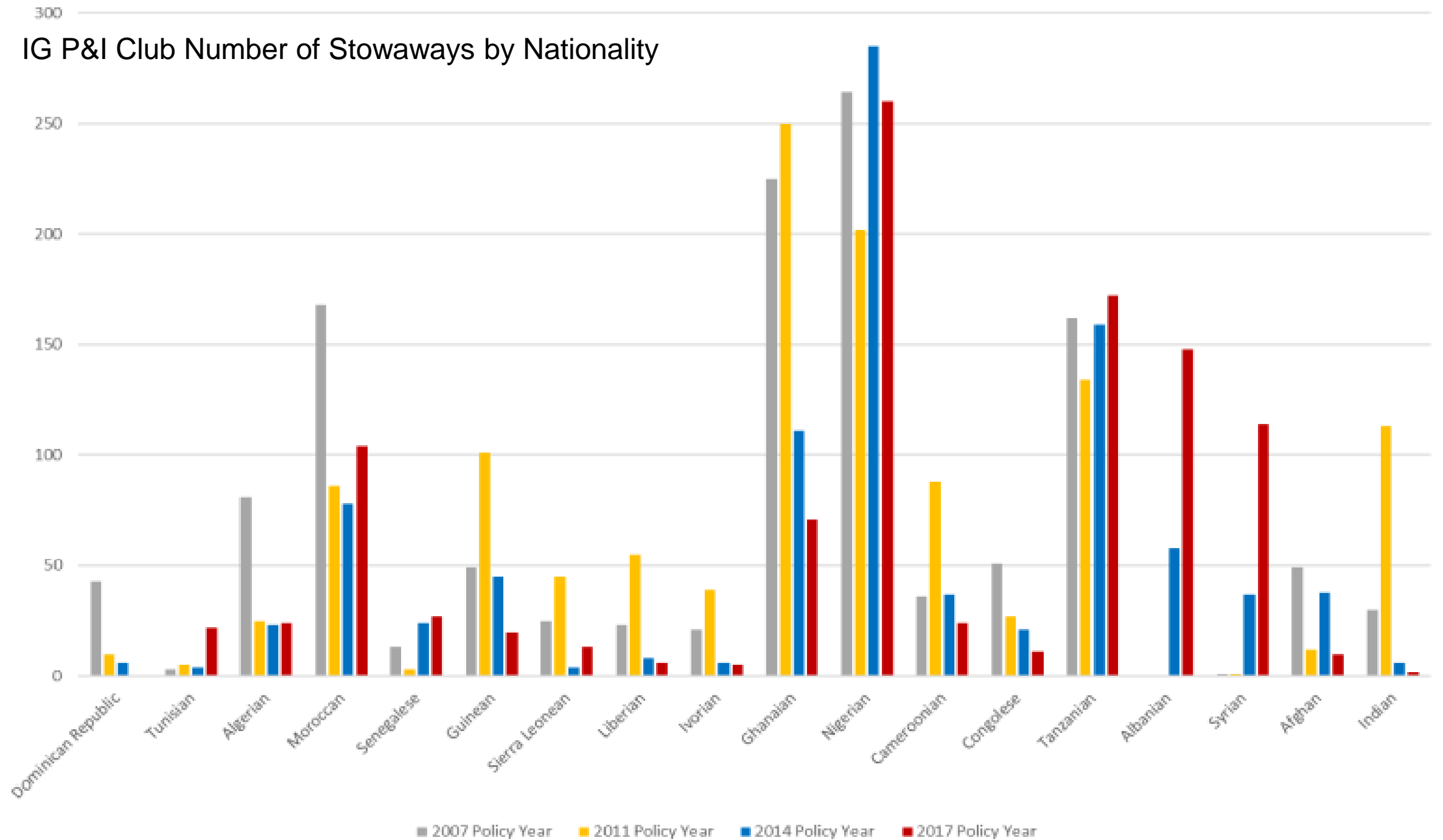
Figures – International Group (IG) P&I Clubs

- Analysis carried out every four years
- P&I Club incident figures are significantly higher than the IMO's
- Claims total down from USD 14.3 million, to 9.5 million
- Significant reduction in some ports in West Africa

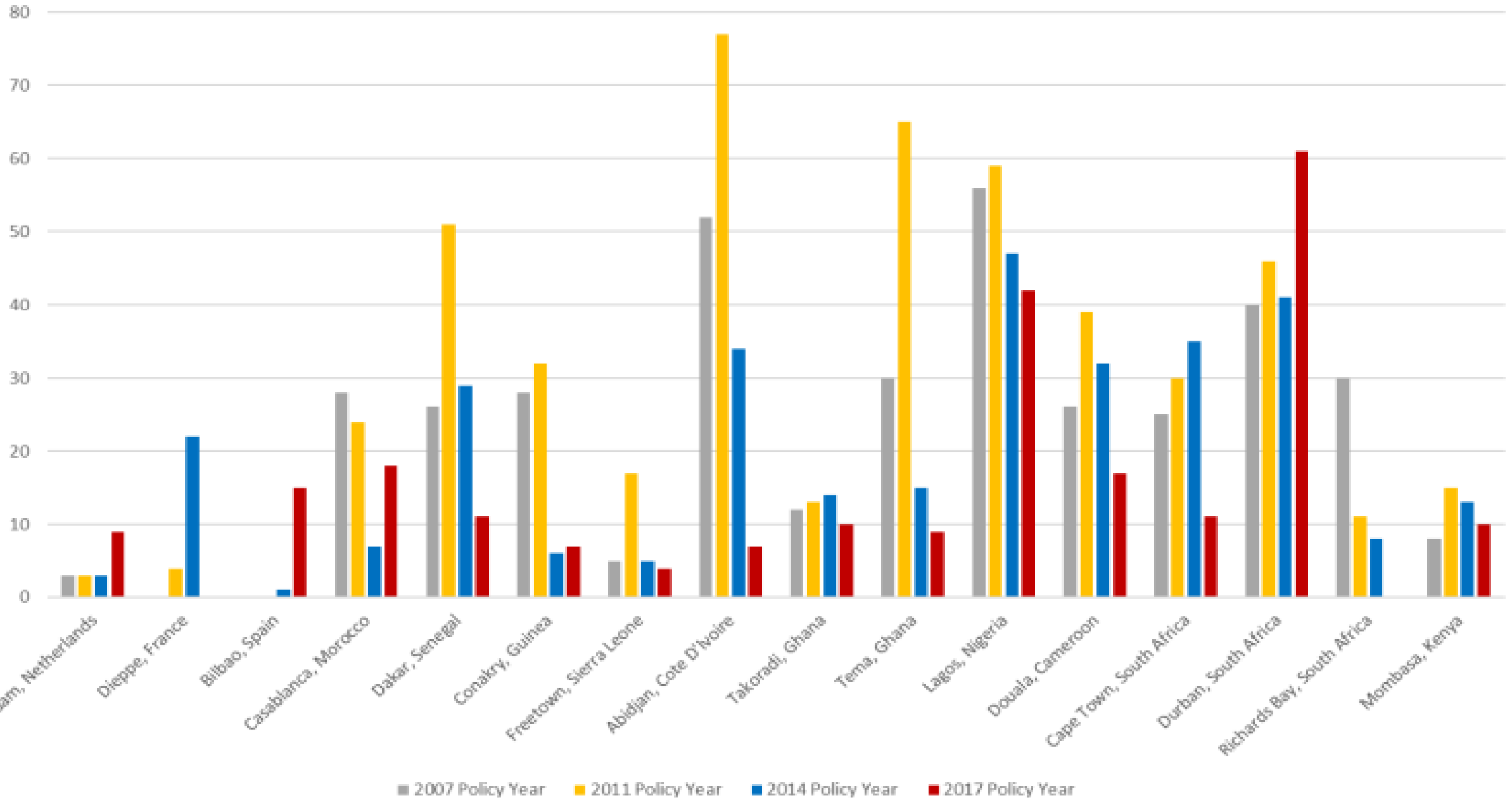
IG P&I Club Summary Data



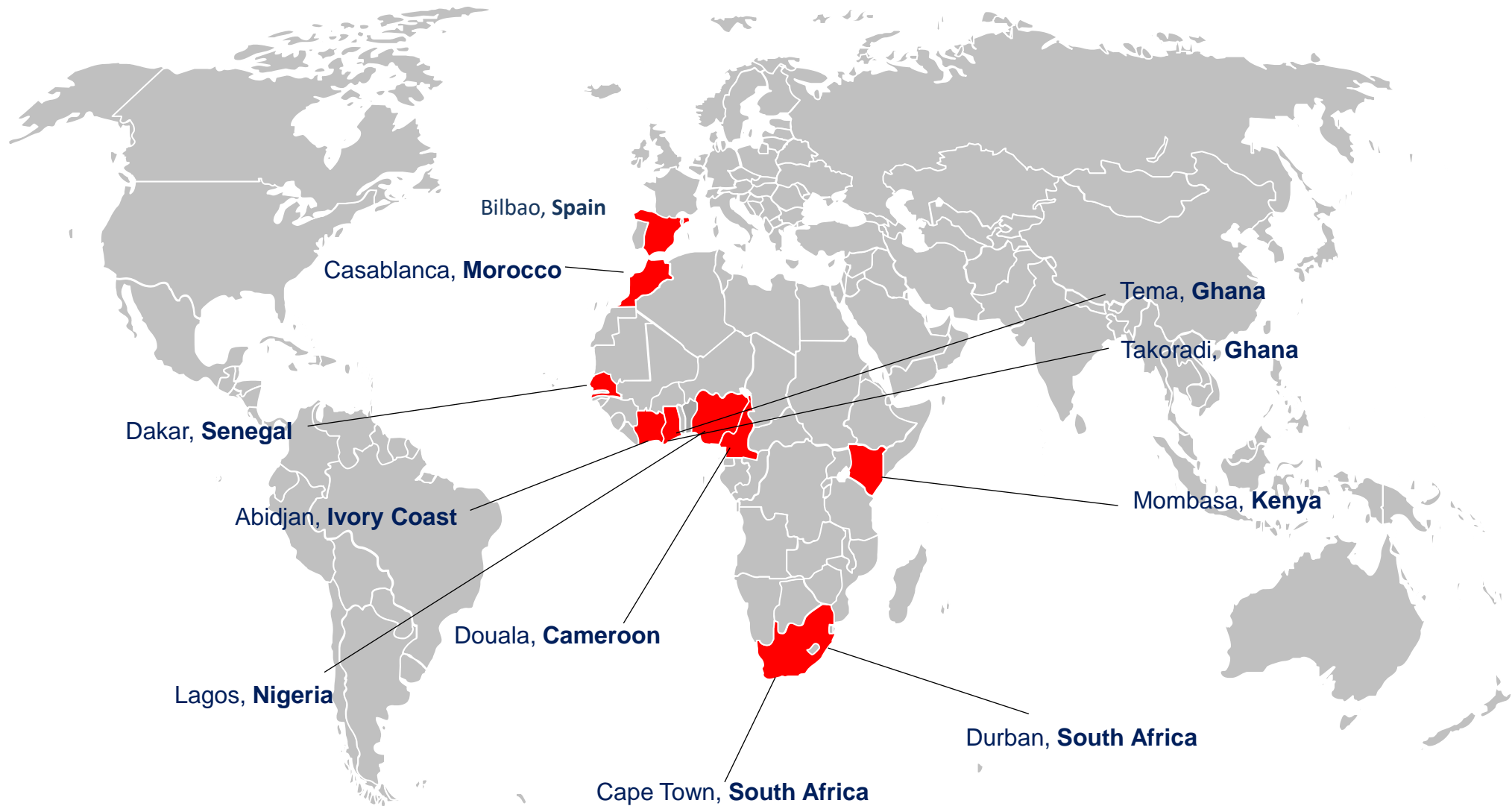
IG P&I Club Number of Stowaways by Nationality



IG P&I Club Number of Stowaways Incidents by Port

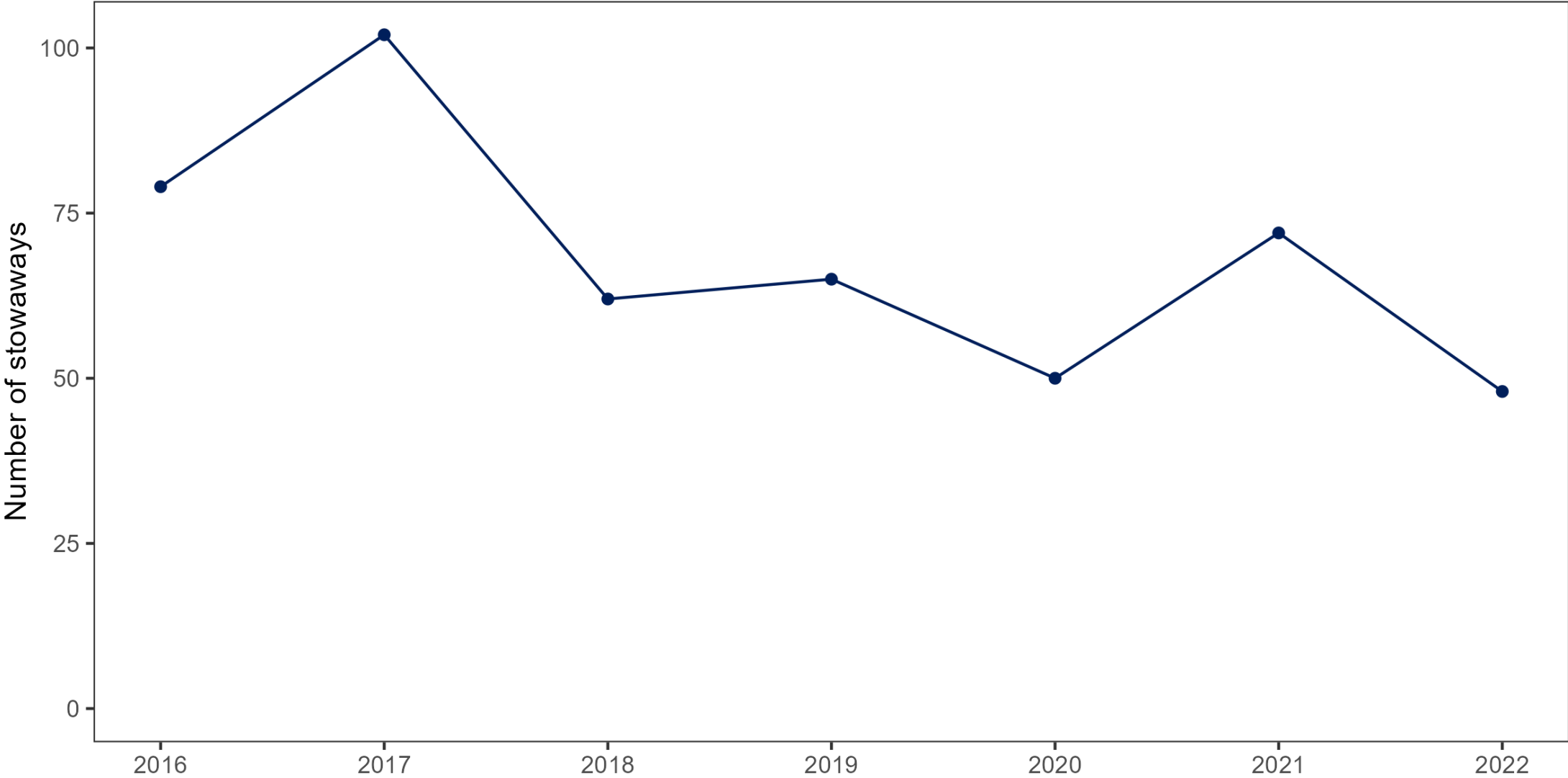


Top 10 ports of embarkation



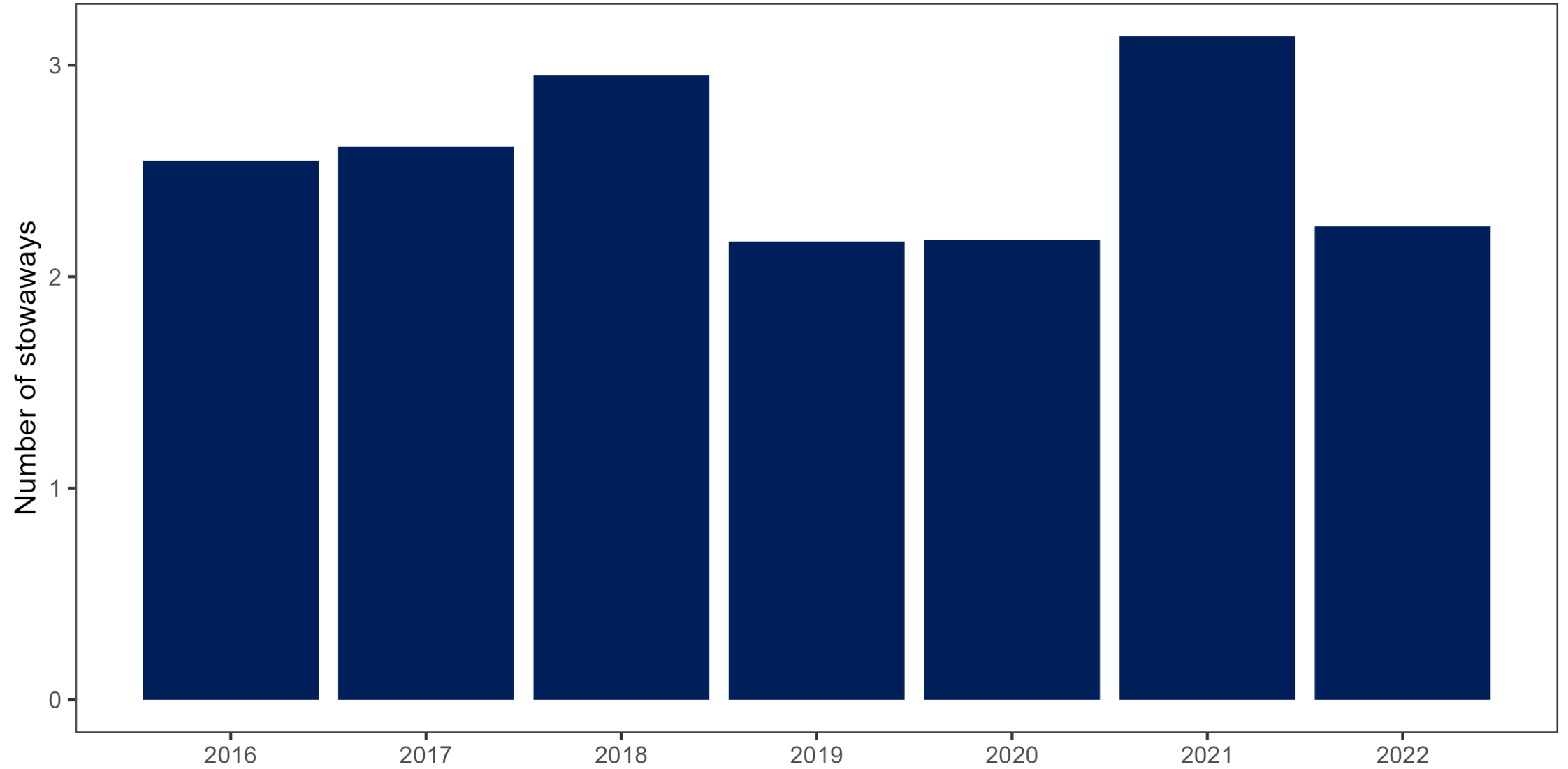
Total number of stowaways by year

Britannia data



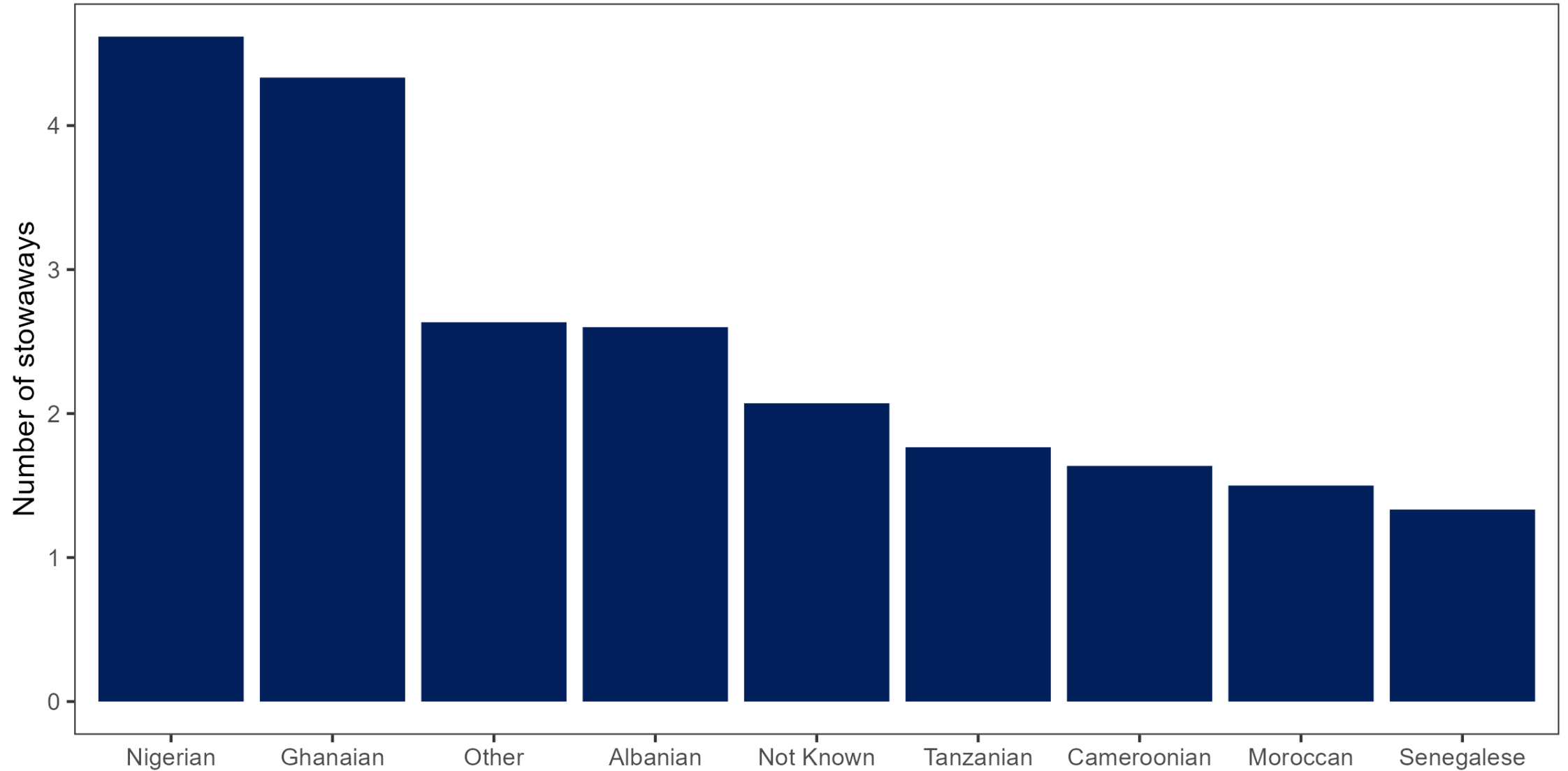
Average number of stowaways in each event

Britannia data



Average number of stowaways in each event

Britannia data



Stowaways

Means of Access

- Accommodation ladder / Gangway
- Mooring ropes
- Amongst stevedores
- In cargo (containers)
- Climbing from boats
- Anchor chain



Stowaways

Hiding Places

- Rudder trunk void space
- Cargo holds / voids
- Deck cargo
 - Empty containers
 - Timber
 - Project cargo
- Inside cranes
- Inside lifeboats



Stowaways

Hiding Places

- Shaft tunnels
- Store rooms
- Engine rooms – upper casing / funnel
- Accommodation
- Chain lockers / rope storage bins
- Behind panels

Stowaways

After Departure

- Hiding places are often unpleasant / dangerous
- Will most likely be thirsty and hungry
- Will usually make themselves known after a day or two
- Listen for knocking / banging, in particular in the steering flat

Stowaways

Unusual Cases

- Security guards remaining on the vessel
- The same aspiring stowaway being found on another entered vessel a few months later
- Stowaway – returned to sender
- Number of stowaways: 15 to 20 plus

Stowaways

Preventative Measures

ISPS
implementation

Robust access
control at bottom
of accommodation
ladder / gangway

Three security
guards on quayside

Lift
accommodation
ladder / gangway
when not in use

Do not leave rope
ladders unattended
overboard

Stowaways

Preventative Measures

- Rudder trunk grating
- Fit rat guards on mooring ropes
- Overside lighting
- At anchor - fit anchor hawse pipe covers
- At anchor – run anchor wash
- One access to the accommodation



Stowaways

Preventative Measures



- Keep empty spaces locked (stores / chain lockers / mast houses etc.)
- Thorough stowaway search by crew
- Search using dogs (contractors)
- **MAKE YOUR SHIP UNATTRACTIVE, SO STOWAWAYS LOOK FOR AN EASIER TARGET**

New IMO FAL amendments

Entry into force 1st January 2024

Minimal monetary support to ensure their safety, health and welfare – to remove any incentive

Recommends all stowaway attempts be promptly reported by vessels to the Port Authorities, so they can alert other vessels in the vicinity

Refugees

Practical Considerations

- Safe boarding arrangements, LSA close by
- Women and children first – one at a time
- Check their possessions – knives, lighters
- Move them away from boarding to a safe area
- Secure the bridge and engine room



Refugees

Practical Considerations

- Keep the Authorities, managers and charterers fully informed
- Don't take photos or video
- If conditions are too hazardous / dangerous speak to the Authorities
- Keep detailed records in the logbook
- Be prepared – have drills



Michael Robertson – Van Ameyde McAuslands



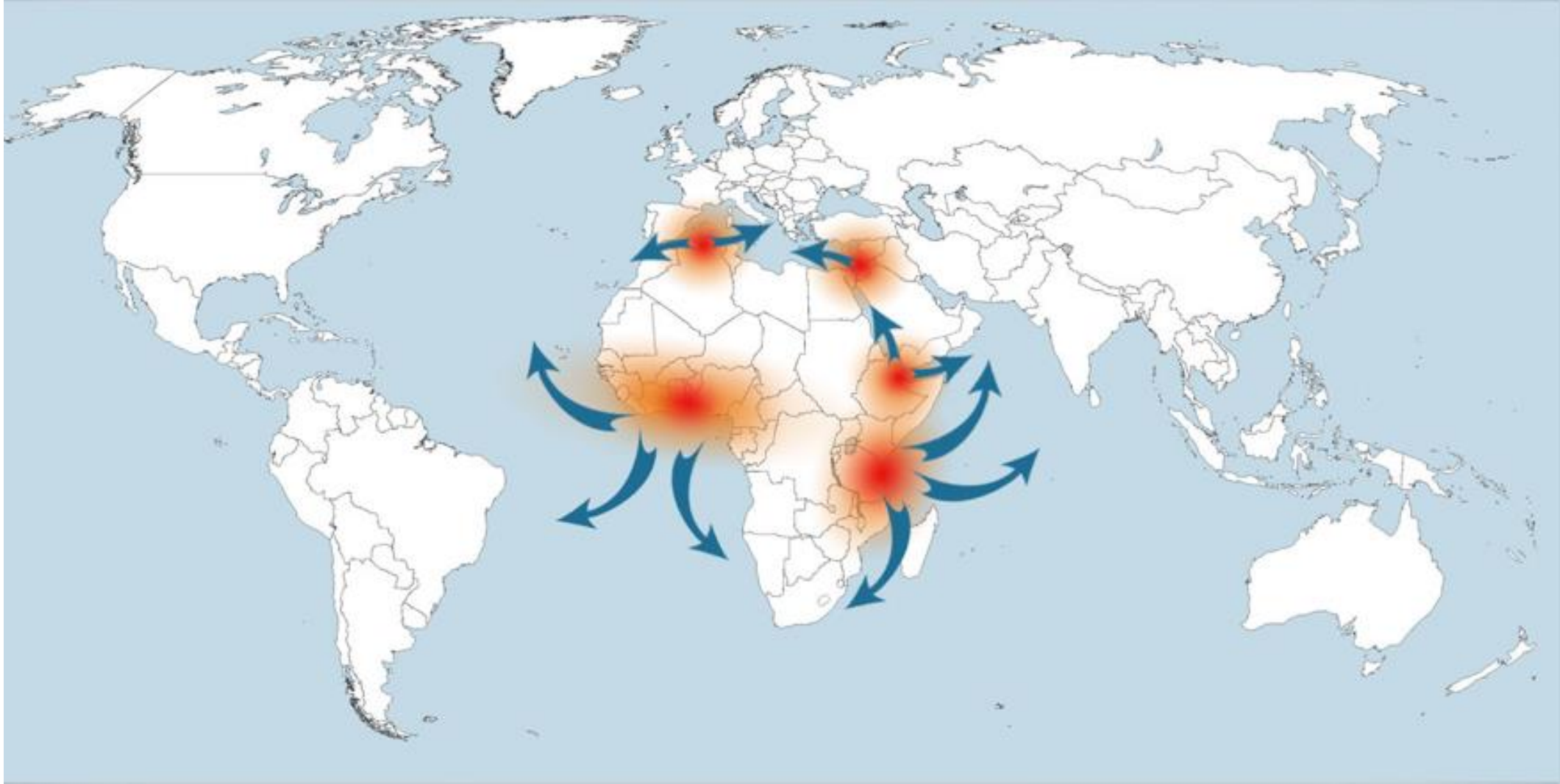
WELCOME

Michael Robertson

Senior Marine Consultant

Van Ameyde 
McAuslands

Stowaways & Refugees Risk Areas



Stowaways & Refugees – Europe

'The UK Government have recently announced a series of tough new immigration enforcement measures to combat an ever-increasing number of undocumented migrants entering the UK via the English Channel.'

'These new measures which will be implemented in the coming months are designed to counter the continued activities of people smuggling gangs...'

'In recent cases stowaways have been 'refused entry to the UK' and masters order to detain individuals on board securely....The UKBF (Border Force) will continue to attend on board arriving vessels carrying stowaways to ensure that stowaways are being held in secure accommodation and that the master is aware of his responsibilities to detain and avoid escape attempts at all costs.'

'...increased number of occasions our security teams are being deployed to assist in stowaway cases, to ensure that vessel operations are not delayed or cancelled due to the presence of stowaways on board vessels...'


'Shipowners should be aware that under section 40 of the UK Immigration & Asylum Act 1999 fines of £2000.00 per stowaway, remain in place and are most likely to increase in 2023.'

Stowaways & Refugees

Close liaison with the network of Club Correspondents.

Verification of Nationality

STOWAWAY QUESTIONNAIRE | English

Signature: 

Description

01 Age 21
02 Height 1.70
03 Weight 50
04 Complexion Dark
05 Hair Black
06 Eyes Dark brown
07 Form of face
08 Marks / Characteristics

Details

09 Full name KLA Yao Ange Julien
10 Place of birth Kolumbo
11 Date of birth 12-10-1984
12 Nationality Jersey Coast
13 Religion Christian
14 Gender M
15 Language(s) spoken Baccule & French
16 Home address 07084803 No home address
17 Father's name KLA, OMER
18 Father's birth-place Kolumbo Jersey Coast
19 Mother's name KLA, RACHEL
20 Mother's birth-place Kolumbo Jersey Coast
21 Parents' address Tel: 00225 0708 4803
22 Marital status Single
23 Name of spouse
24 Nationality of spouse
25 Spouse's address
26 Occupation Student
27 Employer's name
28 Employer's address
29 Date & time found 25 November 2016 16:00
30 Place of hiding In the chimney
31 Port of boarding Abidjan, Jersey Coast
32 Date & time of boarding 23 November 2016 16:00
33 Method of boarding Climbing on steam pipes
34 Reasons for boarding Fatsacked, no work, work me
35 Type of ID - Passport ID Card Seaman's card Other / None
36 Number
37 Place of issue
38 Date of issue
39 Date of expiry
40 Other Information (Previous record, possessions, contacts in other parts of world)

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NORTH OF ENGLAND

Stowaways & Refugees

False ID documentation.

Travel documentation

**PASSPORT CONTROL OFFICE
DAKAR**

REPUBLIC OF GHANA

No: DKR0032013J
15TH JANUARY, 2013
Authority Issuing Certificate: PASSPORT CONTROL OFFICER
Indication de l'autorité qui a délivré le certificat: PASSPORT CONTROL OFFICER
Place of issue of Certificate: GHANA EMBASSY, DAKAR
Lieu de délivrance du certificat: GHANA EMBASSY, DAKAR

CERTIFICATE OF IDENTITY
CERTIFICAT D'IDENTITE
Valid until: 14TH JUNE, 2013
Valable jusqu'à: 14TH JUNE, 2013

The present certificate is issued for the sole purpose of providing the holder with identity papers in lieu of a national passport. It is without prejudice to and in no way affects the national status of the holder. If the holder obtains a national passport it ceases to be valid and must be surrendered to the issuing authority.

Le présent certificat est délivré à seule fin de fournir au titulaire une pièce d'identité pouvant tenir lieu de passeport national. Il ne préjuge pas la nationalité du titulaire et est effectif sur celle-ci. Au cas où le titulaire obtiendrait un passeport national ce certificat ce cessera d'être renvoyé à l'autorité qui l'a délivré.

**DESCRIPTION
SIGNALEMENT**

Age: 18 YEARS
Age: 18
Height: _____
Taille: _____
Hair: BLACK
Cheveux: _____
Eyes: BLACK
Yeux: _____
Face: ELONGATED
Visage: _____
Nose: _____
Nz: _____

Special peculiarities
Signes particuliers
NIL

REMARKS

ENDORSEMENT

Surname: BINNEY
Nom de famille: _____
Forenames: JAMES NANA
Prénoms: _____
Date of birth: 25/08/1995
Date de naissance: _____
Place of birth: WESTERN REGION
Lieu de naissance: _____
Nationality of origin: GHANAIAN
Nationalité d'origine: _____

Surname and forenames of Father: JOHN BINNEY
Nom de famille et prénoms du père: _____
Surname and forenames of Mother: UNKNOWN
Nom de famille et prénoms de la mère: _____
Name of wife (husband): ANNA ESILJ
Nom de la femme (mari): _____
Names of children: _____
Noms des enfants: _____
Occupation: FOOTBALL PLAYER
Profession: _____
Former residence abroad: _____
Ancien domicile à l'étranger: _____
Present residence in Ghana: HSE N° 2/100 KOJOKROM WESTERN REGION, GHANA
Résidence actuelle au Ghana: _____

This certificate is available during its validity for the holder's return to GHANA without a visa.
Durant la période de sa validité le présent certificat sera valable pour l'entrée du titulaire au GHANA sans formalité de visa.

Police Registration Certificate
Certificat d'enregistrement délivré par la Police
The undersigned certifies that the photograph and signature hereon are those of the bearer of the present document.
Le soussigné certifie que la photographie et la signature apposées ci-contre sont bien celles du détenteur de ce document.

Signature of the issuing authority
Signature de l'autorité
C. K. A. AMANUELO

Stowaway & Refugees

📍 Repatriation

📍 Vessel Security



Stowaways & Refugees

 Port Security



Stowaways & Refugees

Port Security Options



STOWAWAY SEARCH DOGS

Stowaways & Refugees

📍 Search teams wearing fluorescent jackets advise that stowaways will be remitted to the police.



Stowaways & Refugees

 Team Effort.



P&I Correspondent Services

- ✔ Van Ameyde McAuslands can assist with officers and crew of a vessel when they have P&I related problems in a port in which we have an office.
- ✔ We act as a general P&I Correspondent throughout the entire United Kingdom, providing Owners and Insurance facilities with immediate assistance.
- ✔ The Crew Care department are supported in international cases by our extensive network within Europe, Africa and the Far East.
- ✔ Our overseas staff are fully conversant with local shipping regulations and practices in their area, providing clients with direct support and advice on a 24/7 hour basis.

Ilka Beck – People Risks Team – Britannia P&I

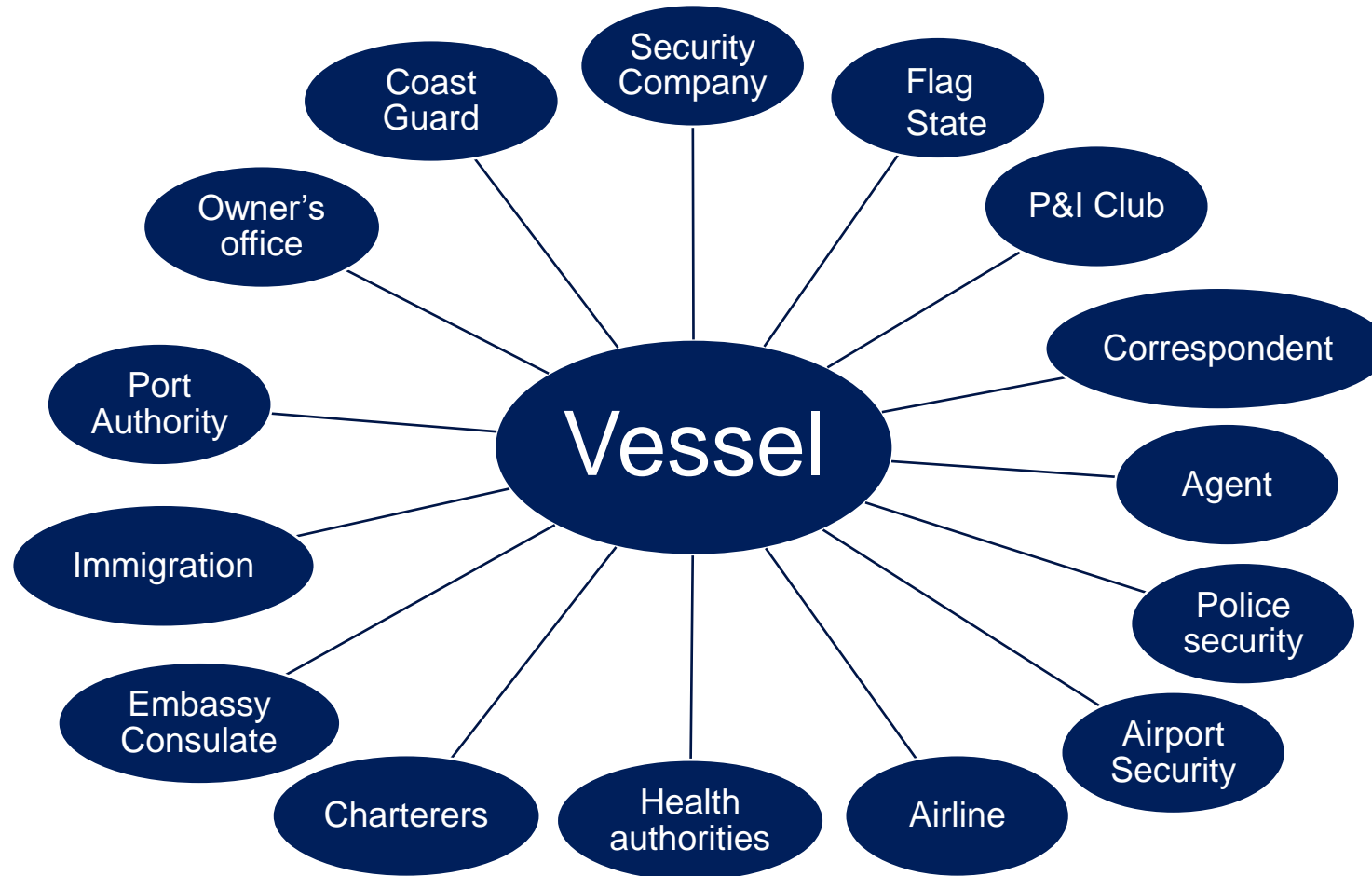


Stowaways

- Shipowner responsibilities
- Practical side of things (1) – general
- Effects: safety/security issues, commercial disruption and financial losses
- Cover - Rule 19 (5)
- Practical side of things (2) - case example

Who is involved...?

The practical side of dealing with stowaways



Once discovered on board

Necessary considerations / steps to take by Shipowners

- Secure accommodation and search for others
- Search for ID documents/dangerous implements
- Humane treatment, no work, do not sign on ship's articles
- Return to port of disembarkation or land at next port?

Further steps / considerations after discovery

- Establish identity - stowaway questionnaire
- Seek up-to-date advice from local correspondents
- Notify authorities as necessary
- What security requirements at next ports to call

STOWAWAY QUESTIONNAIRE	
PHYSICAL CHARACTERISTICS	PERSONAL DETAILS
Height _____	Full name _____
Weight _____	Gender _____
Hair _____	Nationality _____
Eyes _____	Place of birth _____
Other features (e.g. scars, tattoos, piercings, etc.) _____	Place of work _____
	Sex of last child _____
	Language spoken _____
	IDENTIFICATION
	Passport <input type="checkbox"/> Driver's license <input type="checkbox"/> National ID <input type="checkbox"/> Other <input type="checkbox"/>
	Address _____
	Place of birth _____
	Current home _____
	Current age _____
	Current address _____
	Current telephone number _____
	Current email address _____
	EMPLOYMENT
	Employer's name _____
	Employer's address _____
	Employer's telephone number _____
	Employer's email address _____
	Employer's website _____
	Employer's business type _____
	Employer's industry _____
	Employer's sector _____
	Employer's market _____
	Employer's products _____
	Employer's services _____

Liabilities in respect of stowaways

Rule 19(5)

- The cost to a Member necessarily incurred in maintaining, landing, deporting or repatriating stowaways, or persons saved at sea, including diversion expenses under Rule 19(6) and repatriation expenses under Rule 19(7)

Provided always that:

- (i) the Member shall take all appropriate steps permitted by law to recover such expenses from the stowaway or persons saved at sea, or from any other person or insurer, or from any national or international bodies or organisations concerned with such persons; and
- (ii) there shall be no recovery in respect of any consequential loss of profit or depreciation

Recoverable expenses under 19 (5)

Expenses “necessarily incurred in maintaining, landing, deporting or repatriating stowaways or persons saved at sea, including diversion expenses”

- Diversion justified/cost-effective? Additional insurance required?
- Security guards
- Food, personal hygiene products, clothes etc
- Medical attention as / when required
- Fines
- “Pocket money”
- Recovery from third parties?

Case example – stowaway on board for almost 7 months

- 28 May 2020 to 8 December 2020
- Enquired with 23 countries as to disembarkation for repatriation
- Major difficulties due to covid-19 restrictions and lockdowns
- Came on board disguised as a stevedore
- Just under USD550,000 paid



Persons saved at sea - refugees



Persons saved at sea – refugees

- Shipowner responsibilities
- Claims data / statistics
- Cover Rule 19 (5)
- NGOs

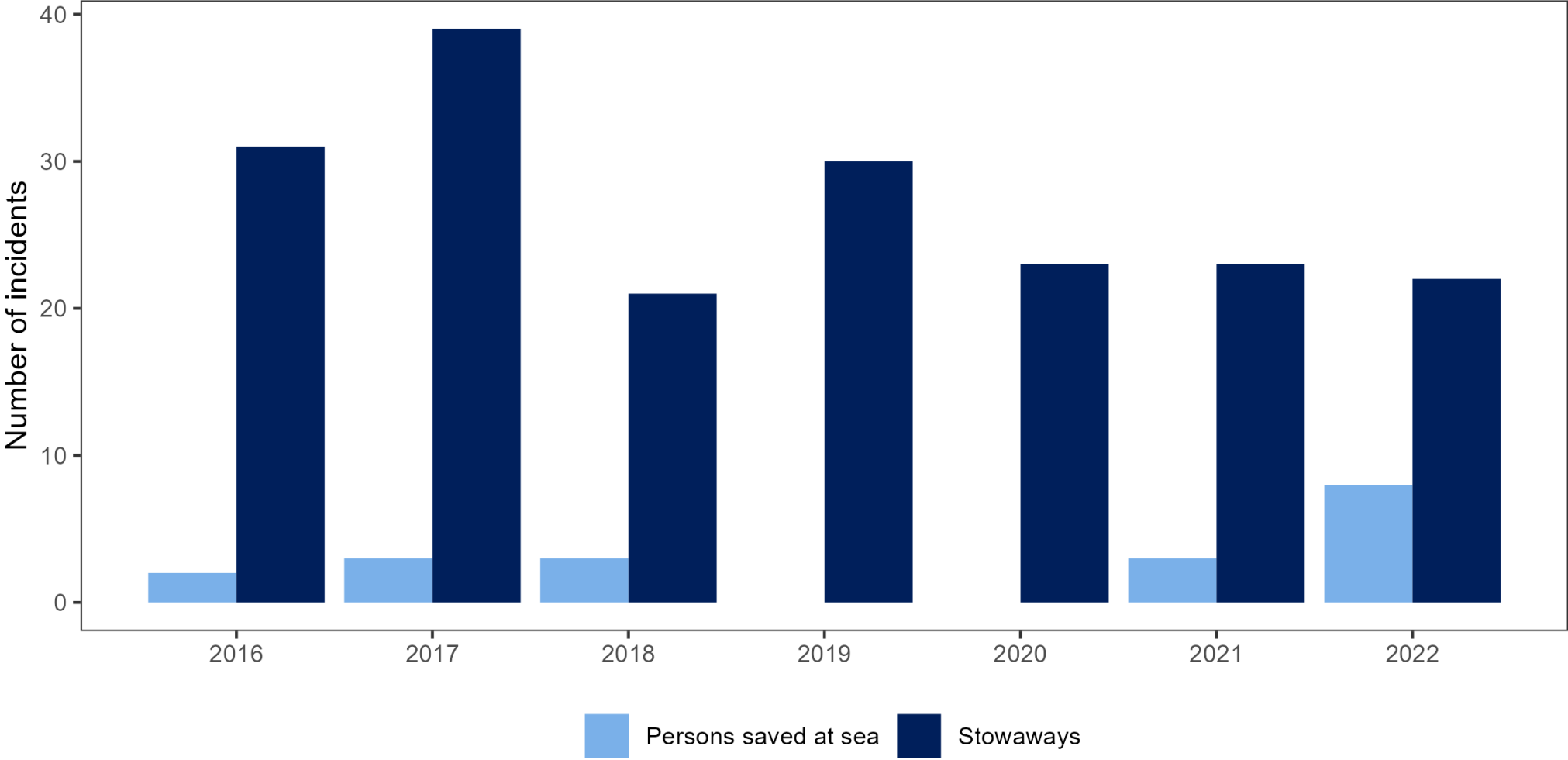
Shipowner's responsibilities

Same but different

- “Maintaining”, disembarkation and repatriation
- Treat humane, no work, do not sign on ship's articles
- In situation mostly due to MRCC requests, disembarkation normally coordinated by authorities
- Refugee status
- No ID issues

Number of incidents each year

Britannia data



Recoverable expenses under 19 (5)

Expenses “necessarily incurred in maintaining, landing, deporting or repatriating stowaways or persons saved at sea, including diversion expenses”

- Diversion justified/cost-effective? Additional insurance required?
- Food, personal hygiene products, clothes etc
- Medical attention as / when required
- Correspondents' fees
- Other costs necessarily incurred, e.g. ship disinfection, restocking of supplies etc

Q&A

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LinkedIn: <https://www.linkedin.com/company/britannia-p-i-club/>