**Stowaways**

  10th February 2020

Introduction

The amended Convention on Facilitation of International Maritime Traffic, 1965 defines a stowaway as *‘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.’*[1](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-1-31)

A group of police officers aiming guns

Description automatically generated*Sailors from USS Rodney M. Davis (FFG 60) search for a stowaway aboard the Military Sealift Command container and roll-on/roll-off ship. U.S. Navy photo by Journalist 2nd Class Kathryn Whittenberger (RELEASED). Public Domain*

Characteristics

*Practices*

Stowaways can gain access to ships unnoticed in numerous ways. Methods include hiding inside a container before it is loaded, using small boats to reach the vessel, pretending to be a stevedore, or climbing mooring ropes from the quay.[2](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-2-31)

While the International Maritime Organization (IMO) states there is not enough data for detailed analysis on where stowaways commonly hide, general locations are empty containers, cargo holds, cranes, behind false panels, engine rooms, void spaces, and even rudder trunks.[3](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-3-31)

Because ports are restricted areas controlled by the International Ship and Port Facility Security (ISPS) code, some cases are facilitated with the support of port workers.[4](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-4-31)

*Perpetrators*

Although stowaways can originate from any country, the limited data available indicates the preponderance of certain nationalities. The International Group of Protection and Indemnity (P&I) Clubs indicates that between 2007 and 2011 the top-ten nationalities were: Nigeria, Ghana, Republic of Congo/ Democratic Republic of Congo, Guinea/ Guinea-Bissau, Cameroon, Liberia and Sierra Leone from West Africa; Morocco and Algeria from North Africa; Tanzania from East Africa; Dominican Republic from the Caribbean; Afghanistan and India from Asia.[5](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-5-31) In the latest round of data collection, in 2017, some countries such as India, Sierra Leone, Liberia, Ghana & Guinea/ Guinea-Bissau had reduced significantly, with countries such as Syria, Albania and Tunisia entering the top-ten.[6](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-6-31) It is worth noting that it is difficult to assess patterns, however, because data collection is not conducted annually.[7](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-7-31) Ports in Africa remain the primary source of most stowaways. North America, Europe, and Australia are the most common preferred destinations.

*Criminalization*

There are different ways of understanding the issue of stowaways. These are captured by the North of England P&I Association’s categorisation of stowaways as refugees, economic migrants, asylum seekers, illegal migrants or criminals.[8](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-8-31)

At one level, stowaways can be understood as individuals escaping difficult conditions and seeking asylum or refugee status elsewhere.[9](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-9-31) Accordingly, stowaways are often understood as an problem of migration and development rather than an explicitly criminal or security problem. In consequence, obstacles to accessing asylum procedures in destination countries are seen to be a significant driver of irregular migration.[10](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-10-31)

Economic and illegal migrants are generally more criminalized. While they may not be organised, they are at times motivated by profit. Senu for example discusses the practice of giving stowaways ‘pocket money’ once they are caught, to stop them disrupting the repatriation process at key stages like in airports or onboard planes.[11](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-11-31) Such practices has fuelled a growth in ‘professional’ stowaways, who are more likely to offend repeatedly and seek repatriation with a relatively significant (USD$500 – 5000) amount of ‘pocket money’.[12](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-12-31) Another form of economic motivation is through the transportation of drugs.[13](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-13-31) Stowaways transport drugs either for personal benefit, to sell at the destination, or as part of a wider drug smuggling network.[14](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-14-31)

Some stowaways are organised in larger groups. At the lowest level of organisation, there are stowaway communities that share knowledge about stowing away on vessels.[15](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-15-31) More serious, however, is the involvement of organised criminal groups in smuggling people by stowing them away, as well as the involvement of individuals related to port operations.[16](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-16-31) This gives more organised stowaways inside knowledge of the ship, as well as its destination and departure date. GARD, a shipping insurance provider, argues bribery for access to port facilities is relatively common in North Africa, for example.[17](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-17-31)

Stowaways, as with other forms of illegal migration, are sometimes framed as a security issue. This has several rationales. First, is the wider framing of illegal migrants as drivers of insecurity, especially due to the increasing threat of terrorism.[18](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-18-31) Stowaways with suspected links to Al Qaeda and ISIS have been intercepted on board vessels travelling into the USA and Europe, and travelling out to Syria.[19](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-19-31) The hijack of a ship by stowaways to engage in terrorism is also seen as a risk.[20](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-20-31) Another potential security linkage is sometimes made to piracy and the prospect of stowaways overpowering crews to seize a vessel. [21](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-21-31) Such cases have occurred in Indonesia and the Philippines, when pirates stowed away on board vessels before hijacking them.[22](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-22-31) However, it is important to note that in most cases, these potential threats tend to be ‘casually grouped’ with other stowaways, and that very few recorded incidents of this type have actually taken place.[23](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-23-31)

More often, it is the stowaways themselves who are victims of crime. Some are mistreated and beaten by crews upon discovery.[24](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-24-31) There are cases of crew dumping stowaways overboard, sometimes with a raft and sometimes without.[25](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-25-31) It is not clear how common these incidents are, but Senu argues that there is evidence to suggest that the dumping of stowaways at sea may be a more frequent practice than is sometimes assumed.[26](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-26-31)

There are multiple reasons why such actions make take place. Crew may be frustrated finding stowaways as they are already under a heavy workload, and the monitoring of stowaways as well as the process of disembarking them adds to this significantly.[27](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-27-31) Crew may also fear having stowaways onboard, especially if they are outnumbered.

There may also be economic motivations for some of these behaviours. Disembarking stowaways is costly (see – impact), so officers may wish to avoid the costly repatriation process or sanctions by their company, especially if crew may lose performance-based pay if they admit to finding stowaways for failing to prevent them boarding in the first place.[28](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-28-31) Moreover, there may not be sufficient provisions onboard for the added stowaways.[29](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-29-31)

Scope

It is difficult to make reliable estimates of the number of stowaways around the globe due to inadequate reporting practices. The IMO collates figures on stowaways on the GISIS system, which which perhaps gives there best indication of the scale of the problem.[30](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-30-31) At the time of writing, there were 4941 incidents in the database since 2010, with many involving more than one stowaway.[31](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-31-31) In 2021, for example, there were 106 stowaways reported across 54 incidents.[32](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-32-31)

The IMO, however, rely exclusively on submitted reports. Such reporting can be unsatisfactory because numbers may not be provided by the competent authorities or these may be delayed. As an example, Liberia seems to only have updated their figures for 2020 and 2021 in 2022.[33](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-33-31) Others lack embarkation dates. In 2017 the IMO states there was ‘pronounced downward trend of notifications to IMO’.[34](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-34-31)

The IMO also collates data from the the International Group of P&I Clubs. In 2017, the latest announced figures, there were 1420 stowaways reported across 432 incidents.[35](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-35-31) Stowaway incidents are not consistently reported however. As a result, numbers are probably under-estimated and the scale of the issue is likely larger than reported. An indication of this is the fact that the data the IMO collects through GSIS includes significantly less stowaway cases compared to the numbers presented by the International Group of P&I Clubs[36](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-36-31)

Some P&I clubs also report their figures, such as GARD’s handling of 150 stowaways in 2018.[37](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-37-31) Others report handling thousands of stowaway cases on their own, such as The Standard clubs reports of handling 2051 stowaways between 2000-2008.[38](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-38-31)

Some suggest that numbers increased in the wake of the COVID-19 pandemic.[39](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-39-31)

Impact

*Industry*

Much of the literature focuses on the impacts of stowaways on the shipping industry.[40](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-40-31) The ship is responsible for the costs and process of disembarkation and repatriation of stowaways.[41](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-41-31) This causes both direct and indirect costs to shipping companies, though membership of a P&I Club will defray many of these expenses.

In terms of direct costs, the process is complex and costly once stowaways are detected.[42](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-42-31) Ship owners may have to post a bond for the stowaways, or even pay a fine. They may have to pay a ‘guarantee deposit’ in case asylum applications fail and the stowaway needs to be repatriated. They also have to pay for security and the costs of detention and transportation of the stowaway.

While direct costs depend on where stowaways are repatriated to and how many of them there are, it has been estimated that each stowaway incurs a direct cost of USD $30,000.[43](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-43-31) Other estimates rank costs at $300,000 per stowaway disembarked.[44](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-44-31)

The costs involved will also depend on where the stowaways are repatriated from and to, as well as the number of stowaways involved in an incident.[45](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-45-31) The West of England P&I noted a USD$1million pound loss due to 125 stowaway incidents in 2012.[46](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-46-31) In another indicative example, the financial cost to Standard P & I Club for the stowaways between 2000 and 2008 was USD$9.2 million.[47](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-47-31)

In terms of indirect costs, ships may need to divert to different ports if their original destination will not accept stowaways. Even when repatriation is agreed, ship crews are often not allowed to reembark until the stowaways reach their home, meaning there can be significant and expensive delays to the shipping company. COVID-19 has compounded these problems due to the ’hygiene barriers’ established at may ports.[48](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-48-31) Disembarkation has become more problematic, and repatriation schedules are longer as reliable due to limitations in international transport.[49](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-49-31)

*Crew*

Stowaways can impact seafarers and create fears over crew safety . 50 per cent of crew report that a stowaway incident is a high burden and traumatic event, and something which they do not feel equipped to deal with.[50](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-50-31) During an incident, violence may also occur if stowaways feel increasingly desperate.[51](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-51-31)

*Stowaways*

There also significant potential impacts on the stowaways themselves. Their lives can be endangered while they are hiding due to the risk of suffocation or lack of provisions. In one case, stowaways suffocated in a cargo hold containing lumber in consequence of the oxygen depleting properties of the logs.[52](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-52-31) In another case, four stowaways survived in the rudder trunk, essentially on the open sea close to the propeller with minimal food and water.[53](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-53-31)

Senu argues that rape and violence among stowaway communities is relatively prevalent.[54](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-54-31) When stowaways are caught, they may be imprisoned (either on board or in destination countries) in harsh conditions.[55](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-55-31) The UNHCR also points to ‘orbit cases’ where asylum seekers can be bounced from state to state months because countries are unwilling to hear their claims.[56](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-56-31) As mentioned above, there are also cases of stowaways being beaten, cast overboard, and even murdered by ship crew.[57](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-57-31) In 1996, for example, two stowaways were murdered on the Maersk Dubai and eight stowaways were killed on the MC Ruby in 1992.[58](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-58-31)

Linkages & Synergies

On occasion, stowaways have been linked to narcotics trafficking and violence.[59](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-59-31) Bribery and corruption is problematic, whether by the stowaways themselves or the crew trying to disembark them.[60](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-60-31)

Responses

*International*

There are two primary legislative responses to stowaways[61](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-61-31).

The first is the FAL Convention, an IMO regulation which sets out clear ship/port ‘preventive measures’ and recommended practices on the ‘treatment of stowaways while on board’ and ‘disembarkation and return of a stowaway’.[62](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-62-31) In 2018, the Facilitation Committee (FAL 42) adopted Resolution FAL.13 (42) on ‘Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases’.[63](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-63-31)

The second is the ISPS Code, which contains clear specifications on access control and security measures for port facilities and ships.[64](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-64-31) These measures focus on strengthening ports to ensure stowaways cannot gain access to the ships. The Code makes it clear that ports should ‘control access to the port facility’, ‘monitor the port facility, including anchoring and berthing areas’, and also ‘monitor restricted areas to ensure that only authorized persons have access’.[65](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-65-31) The International Labour Organization (ILO) & IMO released a code of practice in 2003 that sought to offer suggestions on how to achieve port security.[66](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-66-31) These actions are recognised as being difficult to implement in many cases, however, due to a lack of capacity or porous boundaries around ports, which can be spaces that are too large to secure effectively[67](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-67-31). There are also concerns regarding the costs associated with meeting the obligations of the ISPS code.[68](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-68-31)

The IMO produces guidelines on how to respond to the discovery of stowaways, such as providing adequate meals, clothing, accommodation and sanitation; ensuring the safety and wellbeing of stowaways; not putting them to work except in emergency situations or in relation to their accommodation; familiarising them with what they need to do in emergency situations; not threatening the stowaways or exposing them to any form of violence and maltreatment.[69](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-69-31) Ship crews are also responsible for the initial interview to find out where the stowaways are from, through the use of detailed questionnaires.[70](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-70-31)

*Industry*

The onus to respond to stowaways is generally placed on private stakeholders such as the shipping companies.[71](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-71-31) Carrier sanctions are prime examples in this regard, whereby shipping companies are fined and made responsible for the financial and administrative obligations entailed in the handling of undocumented migrants. Another example is ships with stowaways being subject to additional port state measures, which may dealy the vessel.[72](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-72-31) By implication, shipping companies are expected to provide sufficient security to make it difficult for stowaways to board. There are many guidelines and procedures to ensure this does not occur.

Some of the recommended practices include: controlling access to the ship; using identification passes; patrols; the maintenance of security watches; stowaway searches; and various technological tools[73](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-73-31).

Once stowaways are discovered, the P&I clubs are generally responsible for arranging repatriation.[74](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-74-31) They have correspondents based in spirce countries who will try to find out where the stowaways are from and arrange the logistics with the authorities to ensure repatriation.[75](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-75-31)

*National*

National authorities may also be involved in the response. Police will often be embarked to escort the stowaways and other agencies may become involved if matters escalate. In the case of the Nave Andromeda for example, in which stowaways became violent off the south coast of England in 2020, a three-mile exclusion zone was put into effect around the ship for 10 hours, before the Navy’s Special Boat Service (SBS) boarded the ship and detained the stowaways.[76](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-76-31)

Some argue that responses to such incidents should be more wider than just enforcement alone, particularly with regard to the treatment of potentially vulnerable migrants.[77](https://www.safeseas.net/evidence/2020/02/10/stowaways/#easy-footnote-bottom-77-31)

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