



## The dangerous practice of stowaways hiding in a vessel's rudder trunk

Over the years Gard has seen several cases where stowaways have hidden in the vessels' rudder trunks in an attempted journey to a better life. Due to the high risk of drowning in the rudder trunk, not all cases have a positive outcome. In this article we will explore a recent case for the vessel CHAMPION PULA and put the scenario into the context of the global stowaway problem.

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Written by Heidi Høvik Hansen, Kristin Urdahl

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## Discovering the stowaways

The tanker vessel, CHAMPION PULA, departed from Lagos in Nigeria on 25 September. After 10 days the vessel arrived Las Palmas for loading operations. To everyone's surprise four stowaways were discovered by the Spanish port authorities sitting on the vessel's rudder. For over 10 days they had survived on the open sea, close to the propeller, with minimal food and water. Gard's member, Champion Tankers AS of Bergen, was unaware of their presence on the vessel as it was not possible to access the rudder trunk from the ship.

The Spanish port authorities and the Red Cross arranged for medical examination of the stowaways. Although they were affected by the situation they had been through, their medical condition was found to be satisfactory and the port authorities ordered the vessel to keep the stowaways on board and would not permit repatriation.

Both our member, in co-operation with the Norwegian Shipowner's Association and the Norwegian Ministry of Foreign Affairs, and Gard through our local P&I correspondents and appointed lawyers, tried to convince the Spanish authorities to allow the stowaways to remain at Las Palmas due to their medical condition and the high risk of having them onboard a tanker vessel. The port authorities declined.

The Spanish government has reported a 664% increase, so far this year in refugees and migrants from West Africa landing in the Canary Islands, compared with the same period in 2019. A total of 11,409 have reached the seven islands up until 1 November, so it is perhaps unsurprising that the authorities refused to accept the stowaways.

The four stowaways came back onboard the vessel. Gard arranged for three security guards to protect the crew members' safety and to assist the crew, for example, accompanying the stowaways to get fresh air. To accommodate the stowaways onboard, our member arranged for extra beds in the Suez cabin. The stowaways were treated well and safety measures put in place to protect everyone onboard from coronavirus.

## Police involvement and asylum

The vessel's next scheduled port was Herøya in Norway on 17 October. Thereafter the vessel was bound for the US. It was in everyone's interest that the stowaways should be disembarked in Norway. Arriving in the US with stowaways onboard would expose the ship to possible fines and detention. As soon as the vessel left Las Palmas, Gard contacted the local police and the border police in Skien and Sandefjord in Norway. Focusing on the safety of the crew and the humanitarian aspects of the stowaways' traumatic experience hiding in the rudder trunk, we emphasised that the stowaways should be disembarked at Herøya. Without ID papers or other information to establish their true identities, it is very difficult to repatriate stowaways. The stowaways confirmed that they wanted to seek asylum in Norway. Gard experienced good co-operation with the Norwegian police. When the vessel called Herøya, the police had arranged appropriate transportation and escorts to disembark the stowaways and commenced the procedure for the asylum application.

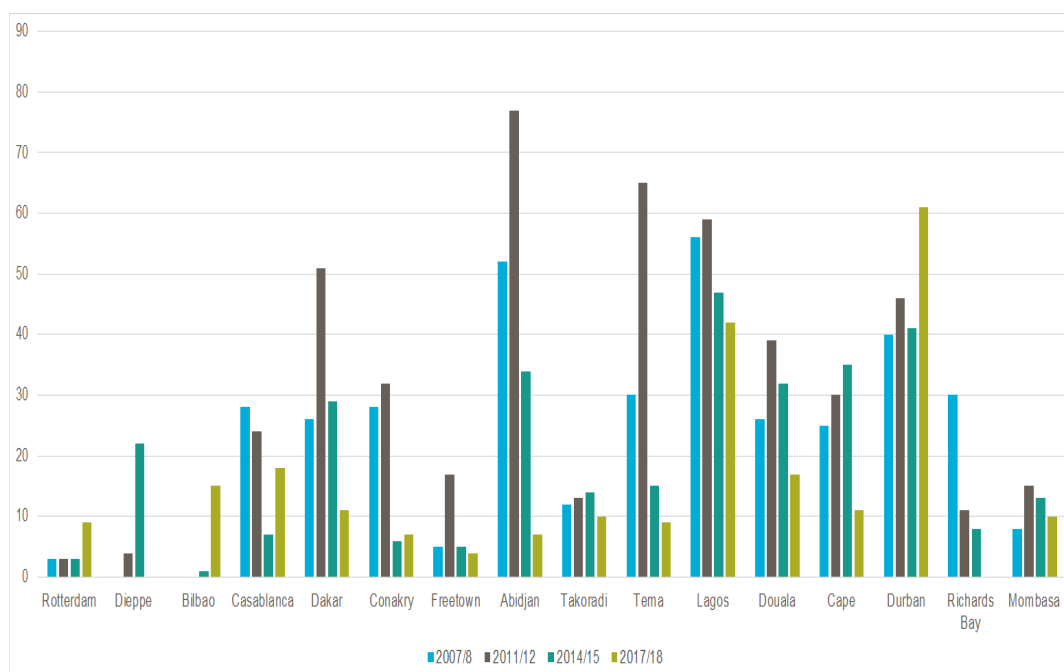
## The global stowaway problem

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The Convention on Facilitation of International Maritime Traffic (FAL Convention), 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* " .

Stowaways can be economic migrants or refugees fleeing persecution. The reason for the attempt may affect the legal status of the stowaway when landed but it does not impact their treatment aboard the ship. Stowaway cases handled at Gard can be complex and expensive. Often, stowaways must be repatriated to their country of origin which may prove difficult when the person has no passport or other identity papers. Repatriation will also require security during travel and while awaiting travel. In 2018, Gard handled 59 incidents involving 150 stowaways; costing a total of USD 1.4 million.

Generally, many African ports are hot spots for stowaway activity, including the port of Lagos in Nigeria. This is also supported by the most recent data on stowaway cases reported by the International Group of P&I Clubs to the IMO in February 2019. The chart below shows the number of incidents by port of embarkation for the policy years commencing 20 February 2007, 2011, 2014 and 2017 for those ports which have been amongst the ten ports with the highest number of stowaway incidents in any of those four policy years (source: IMO Document [FAL 43/13](#) ).



## Preventive measures

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One of the functional requirements of the International Ship and Port Facility Security (ISPS) Code is to prevent unauthorized access to ships, including stowaways. The Code requires a ship security assessment to be conducted which should consider all possible threats of unauthorized access. Its core strategy is to ensure that no unauthorized personnel are able to gain access to the vessel, and that all those who have been authorized to board disembark before sailing. It points to the importance of ensuring that there is a watchperson on duty at any access point that is required to remain unlocked while the vessel is in port. Furthermore, the watchperson must be familiar with the procedures when visitors, repairmen, stevedores and other authorized personnel come on board. Physical access control and random patrols, with particular focus on people located in unusual areas, should supplement the access watches.

Prior to departure, the crew should conduct a thorough search of all compartments and the result should be recorded in the logbook. As the CHAMPION PULA case illustrates, the rudder trunk is not an uncommon access point for stowaways and is often used as a hideout, especially when a ship is in ballast condition.

An aft-ship design with an open rudder trunk, like that of the CHAMPION PULA, can be found on many vessels and the following precautionary measures should be considered when such vessels are trading to ports with a high risk of stowaways:

- Cover openings to the rudder compartment with grating or steel bars to prevent stowaways from gaining access to the area.
- Install an inspection hatch in the steering gear room that will enable inspection of the rudder trunk prior to departures.
- When in ballast condition, carry out an inspection of the rudder, e.g. by use of the vessel's rescue boat or pilot boat prior to departure.

## Concluding remarks

Shipowners have a general responsibility to provide adequate security protection for crews, passengers, and cargo. Provisions specifically addressing delays in maritime traffic caused by stowaways are included in the Convention on Facilitation of International Maritime Traffic (FAL Convention) and in June 2018 the IMO adopted [Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases](#) (FAL.13(42)). The guidelines' approach on how to prevent stowaway incidents is now fully aligned with the security approach of the ISPS Code.

Preventing stowaways from getting onboard is therefore an important part of fulfilling the vessel's obligations under the FAL Convention and ISPS Code and the relevant procedures and measures to do so, including access control and searches, should be clearly stated within a ship's formal security plan. Having stowaways on board may be seen as evidence of a breach in the ship's security arrangements and may be considered by port authorities as "clear grounds" that the ship is not in compliance with the ISPS Code.

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**Members and clients are encouraged to do their utmost to monitor current events in**

*the countries to which their ships will be trading and identify changes that could impact the stowaway risk. For example, dramatic events such as civil war or natural disasters may increase the risk as does an economic downturn in a particular area.*

As a means of gathering more intelligence, we also suggest discussing the stowaway problem with the ships' local agents, as well as with other masters. Doing so could provide valuable and up to date information, not only on the current regional hot spots but also on the most common methods used by stowaways to gain access to ships in a specific port: is it by bribery, in containers, do they use boats or swim to hide in rudder trunks, or do they pose as stevedores? It is also important that crew members are notified and trained to understand and handle the different stowaway scenarios. Your people claims contact at Gard is experienced with these cases and is there to assist when they arise.

Additional advice on preventive measures, as well as recommended practices and actions to be taken when stowaways are discovered onboard, can also be found in the [Gard Guidance on Stowaways](#) .

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