South Africa upholds its strict stowaway policy

Masters and crews are urged to stay vigilant and implement proper security procedures to prevent unlawful access to their vessel while in South African ports.

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According to our local correspondent in South Africa, P&I Associates (Pty) Ltd, stowaways continue to board vessels in the country's ports far too frequently. The correspondent also confirms that the strict stowaway policy applied by the South African authorities will not change, and that the current regulations in the country are as follows:

- No stowaways will, as a general rule, be permitted to be landed in South Africa.

- Any unlawful persons that gain access to a vessel in a South African port will automatically be declared as 'stowaways' rather than 'trespassers', and the shipowner will initially be liable for the cost of their repatriation.

- However, in cases where shipowners have been able to provide photographic, video, or third-party evidence (terminal security) showing that the unlawful persons did in fact attempt to board the vessel in South Africa, local authorities have permitted the persons to be discharged directly to shore prior to the vessel's departure. Hence, the burden of proof rests on the shipowner to demonstrate that any unlawful persons found onboard can be declared as a 'trespasser'.

At the time of writing, it is also a requirement that any 'trespassers' must be tested for COVID-19 and show a negative result before being allowed to disembark from the vessel.

Assessing the stowaway risk

Mitigating and managing the risk of stowaways getting onboard is an important part of shipboard operations and of fulfilling the obligations under the International Ship and Port Security (ISPS) Code. The requirements, actions and tools for this key security task should be clearly stated within the ship security plan (SSP) and include access control and onboard searches. Prior to setting a vessel's formal security level, the local environment and security arrangements in each port should be carefully considered and should include factors such as lighting, facility access, the vessel's area of operation, etc. As a means of gathering more intelligence, we also suggest discussing the stowaway problem with the vessels' local agents, as well as with other masters. Doing so could provide valuable and up to date information, not only on current regional hot spots but also the most common methods used by stowaways to gain access to vessels in a specific port.

While vessels are vulnerable to persons attempting to stow away at vitually all ports, collective data from the International Group of P&I Clubs (IG) shows that South African ports have generally been hot spots for stowaway activity, particularly Durban as it is one of the busiest ports in Africa. The correspondent further explains that, in South African ports, stowaways commonly gain access to vessels by:

- climbing up the mooring lines,

- using the gangway - pretending to be stevedores or port officials and wearing hard hats and reflective jackets to "blend in with the crowd", or

- hiding in cargo such as empty containers.

There have also been instances of persons that have managed to run/push past the gangway security and later been classified as 'stowaways' by the local authorities. Others have managed to get onboard by bribing terminal security personnel.

Preventive measures

Whatever their motivation, stowaways pose a significant security, safety, commercial and liability issue for vessel operators. Masters and crews are therefore urged to stay vigilant and faithfully comply with the vessel's security procedures to prevent unlawful access to the vessel while in South African ports. Companies are recommended to review the security approaches

laid down in the [IMO stowaway guidelines (FAL.13(42))](#) and develop their own procedures and ways of managing the stowaway risk.

For vessels calling at South African ports, the following measures are recommended by our local correspondent:

- Ensure that a proper gangway watch is maintained at all times and that every person being granted access onboard are in possession of a valid permit issued by the port operator, i.e., a Transnet National Ports Authority (TNPA) permit. Furthermore, every visitor should have ISPS clearance.

- Implement clear procedures for access control. All visiting person's TNPA permits should be collected at the security desk upon their arrival and returned to them upon disembarkation. The procedures should also specify when to deny a person access and when to contact the port or ship security officers.

- If possible, move the vessel's security desk to the bottom of the gangway, this to better control individuals that try to push past security to reach the vessel and be declared as stowaways. If practical and permitted by the port, it should also be considered to raise the gangway when not in use.

- Although at an additional cost, consider employing private security guards to patrol vessel surrounding. Ideally there should be three guards available at all times; one to control the gangway and the other two to patrol the areas surrounding the forward and aft mooring lines.

- Carry out a professional stowaway search, preferably with the use of dogs, prior to a vessel's departure from the South African port.

Please refer to the correspondent's loss prevention circular "type: asset-hyperlink id: e2d47f7bc0b3488092772dee6d312264" of January 2021 for additional details. We also remind vessel operators that measures to protect a vessel against stowaways may require seafarers to undertake duties for which they have no previous training or experience. It is therefore important that crew members are adequately briefed and trained to perform the tasks assigned to them.

Information received with thanks from P&I Associates (Pty) Ltd., Durban, South Africa.