



FACILITATION COMMITTEE
36th session
Agenda item 6.2

FAL 36/6
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**FORMALITIES CONNECTED WITH THE ARRIVAL, STAY
AND DEPARTURE OF PERSONS**

International Group of P & I Clubs Data on Stowaway cases

Submitted by the International Group of P & I Associations (P & I Clubs)

SUMMARY

Executive summary: This document provides an analysis of claims data collated by the International Group of P & I Clubs on stowaway cases from 20 February 2007 to 20 February 2008 in order to facilitate the discussions on stowaways in the FAL Committee

Strategic direction: 8

High-level action: 8.0.2

Planned output: 8.0.2.5

Action to be taken: Paragraph 15

Related document: Resolution A.1027(26)

Introduction

1 The International Group of P & I Clubs (IG) consists of thirteen principal underwriting member clubs which between them provide liability cover (protection and indemnity) for approximately 90% of the world's ocean-going tonnage. Each Group club is an independent, non-profit making mutual insurance association, providing cover for its shipowner and charterer members against third party liabilities relating to the use and operation of ships. Each club is controlled by its members through a board of directors or committee elected from the membership. Clubs cover a wide range of liabilities including personal injury to crew, passengers and others on board, cargo loss and damage, oil pollution, wreck removal and dock damage. Clubs also provide a wide range of services to their members on claims, legal issues and loss prevention, and often play a leading role in the management of casualties.

2 IG Club cover extends to the costs to a Member incurred in maintaining, landing, deporting or repatriating stowaways or persons saved at sea, subject to the terms and conditions of Club rules.

3 Given that the IG Clubs collectively provide cover for approximately 90% of the world's ocean-going tonnage, the data on stowaway cases presented by the IG in this document can be considered as comprehensive for the time period that is covered.

Stowaway Cases – IG Claims data

4 The IG understands that the Facilitation Committee and Maritime Safety Committee have been requested by the Assembly (through resolution A.1027(26)) to work jointly and expeditiously on revising the Guidelines on the Allocation of Responsibilities to Seek the Successful Resolution of Stowaway Cases (resolution A.871(20)) ("the Guidelines") and that Member States, intergovernmental and non-governmental organizations with consultative status have been invited to participate actively in this revision process.

5 In this respect, the IG notes that resolution A.1027(26) refers to the need to align the Guidelines with the FAL Convention provisions on stowaways and to revise them in a manner that reflects developments in efforts undertaken to prevent stowaways, as well as to provide guidance and recommendations, taking into account the FAL Convention provisions on stowaways, on measures which can be implemented by vessels to prevent stowaway cases.

6 The IG has noted the official statistics published by IMO on stowaway cases which the IMO primarily receives from flag States and port States. However, based on a comparison between the data on stowaway cases handled by the IG Clubs in 2007 and the data published by the IMO for that year, it would seem that the statistics published by IMO under-reports the scale of the problem.

7 The number of stowaway cases reported by IMO from 1 January 2007 to 1 January 2008 totalled **252 incidents** involving 889 stowaways (as recorded in FAL.2/Circ.108). However, the number of stowaway cases collated by the IG Clubs from 20 February 2007 to 20 February 2008 totalled **842 incidents** involving 1,955 stowaways.

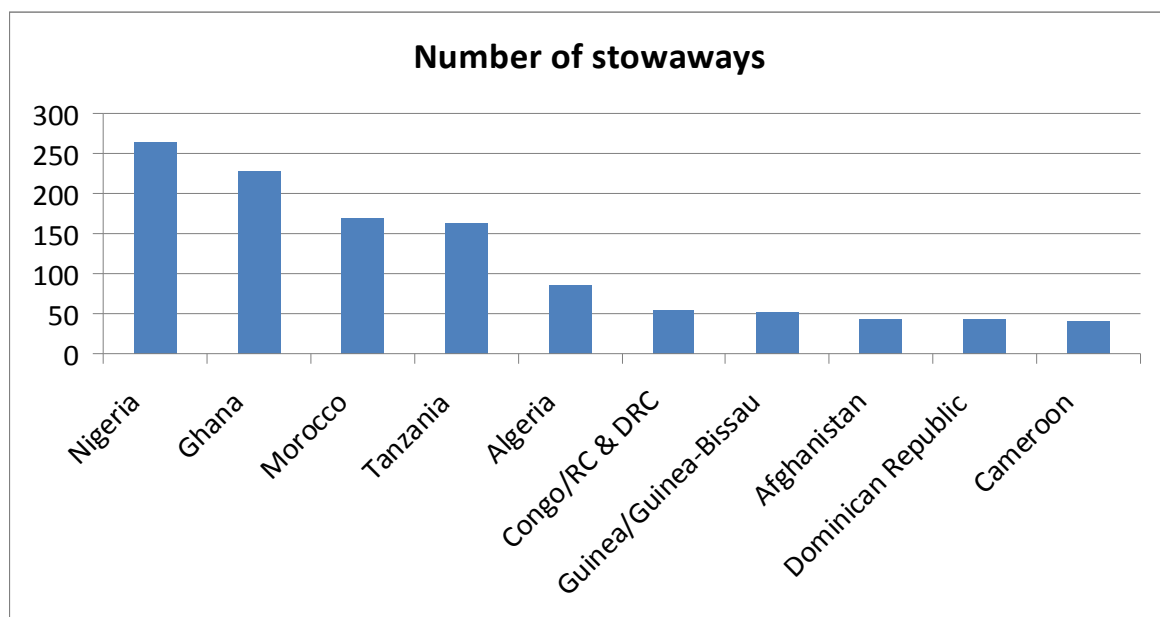
8 The difference in the data is apparent and whilst the IG recognizes that the data that it has collated and presented is for 2007 only, the experience of the IG Clubs in the intervening years would suggest that the data for 2008 and 2009 is unlikely to be substantially different to the figures provided for 2007.

9 In terms of a breakdown of these 842 incidents collated by the IG Clubs from February 2007 to February 2008, the IG would also note that:

- Approximately 39% of these 842 cases involved only one stowaway on board;
- Approximately 27% of the 842 cases involved two stowaways on board;
- Bulk, container and general cargo vessels were involved in more than 555 of the 842 cases;
- The average number of days spent on board the vessel by the stowaways was 4.7 days, the longest period being for 174 days;
- The majority of stowaways were removed before 20 days had passed; and
- The total cost to the IG Clubs for all cases in this period was, net of deductible, approximately US\$14.3 million (which includes fines imposed by States on shipowners, often by those States that are unwilling to assist a shipowner in the disembarkation of stowaways).

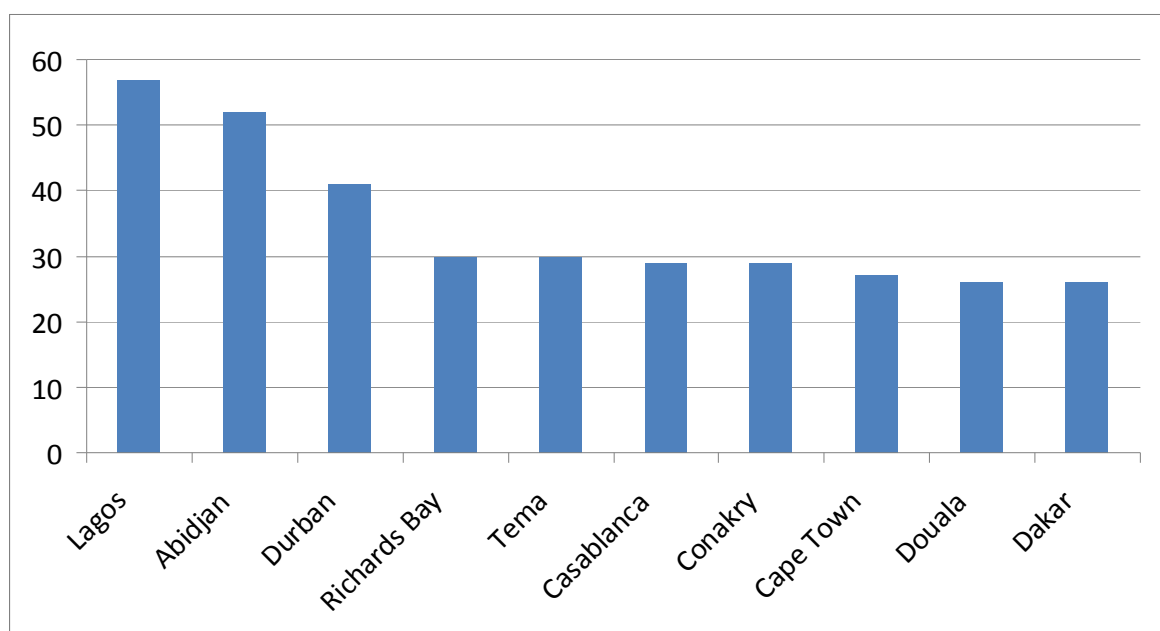
10 In terms of the nationality of the stowaways, the IG data for 2007 indicates that the majority of the stowaways involved were from West and North African States, specifically Nigeria, Ghana, Morocco and Tanzania, as highlighted in Table 1 below. Interestingly, the IMO data for 2007 reports that the majority of stowaways in those cases reported to IMO in that time period were of Afghan (39% of the total) or Iraqi (16.4%) nationality and that nationals from Nigeria, Ghana, Morocco and the United Republic of Tanzania made up a total of only 7.6% of the 889 stowaways involved in the reported 252 incidents.

Table 1. Number of stowaways per (known) nationality (top ten) in IG cases for 2007



In terms of the ports of embarkation, the IG data for 2007 indicates that the top ten ports of embarkation in terms of the number of reported cases are all in the African continent, as highlighted in Table 2 below.

Table 2. Ports of embarkation (top ten) in IG cases for 2007



11 The IMO data for 2007 does not highlight the port of embarkation on a per case basis but does so on the basis of the number of actual stowaways in terms of the port of embarkation over the relevant time period. The IMO data reports that the top two ports of embarkation in terms of the number of actual stowaways were:

- .1 Zeebrugge, Belgium – 41 stowaways
- .2 Izmir, Turkey – 29 stowaways.

The corresponding figures in the IG data were:

- .1 Zeebrugge, Belgium – 23 stowaways
- .2 Izmir, Turkey – 32 stowaways.

12 The top two ports of embarkation in terms of the actual number of stowaways in the IG data for 2007 were:

- .1 Lagos – 181 stowaways
- .2 Abidjan – 123 stowaways.

13 Whilst recognizing the slight difference in time period between the two sets of data, the IG would suggest that the differences in the IG and the IMO data arise primarily from the data sources and that some flag States and port States have been reporting stowaway cases to IMO whereas others have not been reporting, which has probably resulted in data that is incomplete and presented a distorted picture of the real situation, although it is possible that this also arises to an extent from a lack of reporting on the part of shipowners to their flag State.

Action to take

14 The IG hopes that the data contained in this document emphasizes the true scale of the problem of stowaway cases in terms of both the numbers of stowaways and the costs to shipowners, their P & I providers and States. This has been a concern for shipowners and their P & I providers for a number of years and with this in mind the IG notes that resolution A.1027(26) refers to the considerable difficulties that shipmasters and shipowners continue to encounter when stowaways are to be disembarked from ships into the care of the appropriate authorities. The IG welcomes the proposed revision of the IMO Guidelines in anticipation that this will strengthen their application. The data contained in this document is presented by the IG in order to facilitate this revision process.

Action requested of the Committee

15 The Committee is invited to consider the above and decide as appropriate.
