ANNEX 21

RESOLUTION MSC.448(99)/Rev.1
(adopted on 21 May 2026)

REVISED GUIDELINES ON THE PREVENTION OF ACCESS BY STOWAWAYS AND THE ALLOCATION OF RESPONSIBILITIES TO SEEK THE SUCCESSFUL RESOLUTION OF STOWAWAY CASES

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

HAVING CONSIDERED the general purposes of the Convention on Facilitation of International Maritime Traffic, 1965, as amended (FAL Convention), and in particular article III thereof,

RECALLING the provisions of resolution A.1027(26) on *Application and revision of the Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases* (resolution A.871(20)),

RECALLING ALSO that the International Convention Relating to Stowaways, which attempted to establish an internationally acceptable regime for dealing with stowaways, has not yet come into force,

RECALLING FURTHER that, in accordance with article VII(2)(a) of the FAL Convention, the Facilitation Committee, at its twenty-ninth session, adopted on 10 January 2002 resolution FAL.7(29) on *Amendments to the Convention on Facilitation of International Maritime Traffic, 1965, as amended*, which introduced a new section 4 on Stowaways in the annex to the FAL Convention, prescribing Standards and Recommended Practices on matters relating to stowaways (the FAL provisions on stowaways), which entered into force on 1 May 2003,

RECALLING IN ADDITION that, for the purpose of this resolution, a stowaway is defined 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,

NOTING with concern the number of incidents involving stowaways, the consequent potential for disruption of maritime traffic, the impact such incidents may have on the safe and secure operation of ships and the considerable risks faced by stowaways, including loss of life,

NOTING FURTHER that the Assembly, at its twentieth regular session, adopted, by resolution A.871(20), *Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases* (the Guidelines),

RECALLING that resolution A.1027(26) expressed conviction of the need to align, to the extent possible and desirable, the Guidelines with the FAL 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 provisions

on stowaways, on measures which can be implemented by vessels to prevent cases involving stowaways,

RECOGNIZING that the revision of the Guidelines should be done in a manner that does not duplicate the existing provisions of the Special measures to enhance maritime security contained in chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, as amended, and in the International Ship and Port Facility Security (ISPS) Code, but augments and supplements them in the context of preventing cases involving stowaways,

RECALLING that one of the functional requirements of the ISPS Code is to prevent unauthorized access of any kind to ships, port facilities and their restricted areas, and that ship security assessments and port facility security assessments should consider all possible threats, including the presence of stowaways,

TAKING INTO ACCOUNT that some stowaways may be asylum seekers and refugees, which should entitle them to such relevant procedures as those provided by international instruments and national legislation,

BEING AWARE that considerable difficulties continue to be encountered by masters and shipping companies, shipowners and ship operators when stowaways are to be disembarked from ships into the care of the appropriate authorities,

AGREEING that the existence of the present guidance should in no way be regarded as condoning or encouraging the practice of stowing away and other illegal migration, and should not undermine efforts to combat the separate problems of alien smuggling or human trafficking,

NOTING that several Member States which are also Contracting Governments to the FAL Convention:

(a) have notified the Secretary-General, in accordance with article VIII(1) of the FAL Convention (in relation to the Standards specified in section 4 of the annex to the FAL Convention) either that they find it impracticable to comply with the above-mentioned Standards or of differences between their own practices and those Standards; or

(b) have not yet notified the Secretary-General, in accordance with article VIII(3) of the FAL Convention, that they have brought their formalities, documentary requirements and procedures into accord in so far as practicable with the Recommended Practices specified in section 4 of the annex to the FAL Convention,

NOTING ALSO that the parallel existence of the Guidelines and the FAL provisions on stowaways has raised questions in relation to the procedures to be followed for dealing with stowaways by Member States which are also Contracting Governments to the FAL Convention, in particular those referred to above,

BELIEVING that, at present, stowaway cases can best be resolved through close cooperation among all authorities and persons concerned,

BELIEVING FURTHER that, in normal circumstances, through such cooperation, stowaways should, as soon as practicable, be removed from the ship concerned and returned to the country of nationality/citizenship or to the port of embarkation, or to any other country which would accept them,

RECOGNIZING that stowaway incidents should be dealt with humanely by all Parties involved, giving due consideration to the operational safety of the ship and its crew,

WHILST URGING national authorities, port authorities, shipowners and masters to take all reasonable precautions to prevent stowaways gaining access to vessels,

RECALLING ALSO resolution A.1027(26), adopted by the Assembly at its twenty-sixth regular session, by which the Assembly, inter alia, authorized the Facilitation Committee and the Maritime Safety Committee to adopt jointly the necessary amendments to the Guidelines and to promulgate them by appropriate means,

NOTING that the Maritime Safety Committee, at its eighty-eighth session, adopted the *Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases* (resolution MSC.312(88)), superseded by resolution MSC.448(99),

RECALLING that the Facilitation Committee, at its fiftieth session, adopted amendments to the annex to the FAL Convention (resolution FAL.20(50)),

AGREEING that these amendments should be reflected in the revised guidelines as adopted by resolution MSC.448(99),

NOTING that the Facilitation Committee, at its fiftieth session, adopted the resolution on *Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases*, with identical amendments to the Guidelines,

1 ADOPTS the *Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases*, set out in the annex to the present resolution;

2 AGREES that the provisions of this resolution should, in accordance with resolution A.1027(26), be considered as being of relevance only with respect to:

(a) Member States which are not Contracting Governments to the FAL Convention; and

(b) Member States which are Contracting Governments to the FAL Convention and which:

(i) have notified the Secretary-General, in accordance with article VIII(1) of the FAL Convention (in relation to the Standards specified in section 4 of the annex to the FAL Convention) either that they find it impracticable to comply with the aforementioned Standards or of differences between their own practices and those Standards; or

(ii) have not yet notified the Secretary-General, in accordance with article VIII(3) of the FAL Convention, that they have brought their formalities, documentary requirements and procedures into accord in so far as practicable with the Recommended Practices specified in section 4 of the annex to the FAL Convention;

3 URGES Governments to implement in their national policies and practices the amended procedures recommended in the annexed Guidelines; as from July 2026;

4 URGES ALSO Governments to deal with stowaway cases in a spirit of cooperation with other parties concerned, on the basis of the allocation of responsibilities set out in the annexed Guidelines;

5 INVITES shipping companies, shipowners, ship operators and other stakeholders to take on the relevant responsibilities set out in the annexed Guidelines and to guide their masters and crews as to their respective responsibilities in stowaway cases;

6 INVITES Governments to develop, in cooperation with the industry, comprehensive strategies to improve access control and prevent intending stowaways from gaining access to ships;

7 AGREES that the Maritime Safety Committee should continue to monitor the effectiveness of the annexed Revised Guidelines on the basis of information provided by Governments and the industry, to keep them under review and to take further action, including the development of a relevant binding instrument, as may be considered necessary in light of developments;

8 REVOKES resolution MSC.448(99);

9 REQUESTS the Assembly to endorse the action taken by the Maritime Safety Committee and the Facilitation Committee.

ANNEX

REVISED GUIDELINES ON THE PREVENTION OF ACCESS BY STOWAWAYS AND THE ALLOCATION OF RESPONSIBILITIES TO SEEK THE SUCCESSFUL RESOLUTION OF STOWAWAY CASES

1 Introduction

1.1 Masters, shipowners, public authorities, port authorities and other stakeholders, including those providing security services ashore, have a responsibility to cooperate to the fullest extent possible in order:

.1 to prevent stowaway incidents; and

.2 to resolve stowaway cases expeditiously and secure that an early return or repatriation of the stowaway will take place; all appropriate measures should be taken in order to avoid situations where stowaways must stay on board ships for a significant period of time.

1.2 However, no matter how effective port and ship security measures are, it is recognized that there will still be occasions when stowaways gain access to vessels, either secreted in the cargo or by surreptitious boarding.

1.3 The resolution of stowaway cases is difficult because of different national legislation in each of the several potentially involved States: the State of embarkation, the State of disembarkation, the flag State of the ship, the State of apparent, claimed or actual nationality/citizenship or right of residence of the stowaway, and States of transit during repatriation.

2 Definitions

For the purpose of these Guidelines, the following meanings shall be attributed to the terms listed:

.1 *Attempted stowaway*. 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 before it has departed from the port.

.2 *Port*. Any port, terminal/facility, offshore terminal, ship and repair yard or roadstead which is normally used for the loading, unloading of cargo, embarkation and disembarkation of passengers, repair and anchoring of ships, or any other place at which a ship can call.

.3 *Public authorities*. The agencies or officials in a State responsible for the application and enforcement of the laws and regulations of that State which relate to any aspect of the present Guidelines.

.4 *Security measures*. Measures developed and implemented in accordance with international agreements and national regulations to improve security on board ships and in port areas and facilities, and of goods moving in the international supply chain, to detect and prevent unlawful acts.[1]

[1] Reference is made to chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, as amended (1974 SOLAS Convention) and the International Ship and Port Facility Security Code, as amended (ISPS Code); and to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 (1988 SUA Convention) and its 2005 Protocol (2005 SUA Protocol).

.5 *Shipowner.* The owner of the ship or any other organization or person such as the manager or the bareboat charterer who has assumed responsibility for operation of the ship, and any person acting on its behalf, excluding the ship agent.

.6 *Stowaway.* 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.

3 Basic principles

On the basis of the experience thus far, the application of the following basic principles have been useful in preventing stowaway incidents and have been helpful in the speedy resolution of stowaway cases:

.1 Stowaway incidents should be dealt with in a manner consistent with humanitarian principles. Due consideration must always be given to the operational safety and security of the ship and to the safety and well-being of the crew, the stowaways and any other persons present on board.

.2 Public authorities, port authorities, shipowners and masters should cooperate to the fullest extent possible in order to prevent stowaway incidents.

.3 Shipowners, masters, port authorities and public authorities should have adequate security arrangements in place which, as far as practicable, will prevent intending stowaways from getting aboard a ship or, if this fails, will detect them before the ship leaves port or, at the latest, before it arrives at the next port of call.

.4 Adequate, frequent and well-timed searches minimize the risk of having to deal with a stowaway case and may also save the life of a stowaway who may, for example, be hiding in a place which is subsequently sealed and/or chemically treated.

.5 Public authorities, port authorities, shipowners and masters should cooperate to the fullest extent possible in order to resolve stowaway cases expeditiously and securely, so that an early return or repatriation of the stowaways will take place. All appropriate measures should be taken in order to avoid situations where stowaways must stay on board ships for a significant period of time.

.6 Public authorities, ports, shipowners or masters should not give any payments, or other benefits to the stowaways, beyond the minimal requirements to ensure the security, general health, welfare and safety of the stowaways while on board or on shore, as that might act as an incentive to reoffend or as an encouragement to other persons attempting to stow away on board ships.

.7 Stowaways arriving at or entering a State without the required documents are, in general, illegal entrants. Decisions on dealing with such situations are the prerogative of the States where such arrival or entry occurs.

.8 Stowaway asylum seekers should be treated in accordance with international protection principles as set out in international instruments, such as the provisions of the United Nations Convention relating to the Status of Refugees of 28 July 1951 and of the United Nations Protocol relating to the Status of Refugees of 31 January 1967 and relevant national legislation.[2]

.9 Every effort should be made to avoid situations where a stowaway has to be detained on board a ship indefinitely. In this regard States should cooperate with the shipowner in arranging the disembarkation of a stowaway to an appropriate State.

.10 Irrespective of whether or not a ship deviates from the planned route, the disembarkation of stowaways who declare themselves to be a refugee or an asylum seeker should not be conducted in their (alleged) country of origin or any other country from which they have fled and in which they claim a risk of harm.

.11 States should accept the return of stowaways who have full nationality/ citizenship status in that State, or have a right of residence in that State.

.12 Where the nationality or citizenship or right of residence cannot be established, the State of the original port of embarkation of a stowaway should accept the return of such a stowaway for examination pending final case disposition.

4 Preventive measures

4.1 Port/terminal authorities

4.1.1 States and port and terminal owners, operators and authorities should ensure that the necessary infrastructure, and operational and security arrangements for the purpose of preventing persons attempting to stowaway on board ships from gaining access to port installations and to ships, are established in all their ports, taking into consideration when developing these arrangements the size of the port, and what type of cargo is shipped from the port. This should be done in close cooperation with relevant public authorities, shipowners and shore-side entities, with the aim of preventing stowaway occurrences in the individual port.

4.1.2 Operational arrangements and/or port facility security plans should at least be equivalent to those contained in the relevant text of section B/16 of the ISPS Code.[3]

4.1.3 All cases of stowaways detected in port while attempting to board a ship or ships should be reported to the appropriate port and public authorities, which will inform all nearby ships. Ships should follow the guidance of the appropriate port and law enforcement authorities. Any procedures should be conducted in such a manner as to cause a minimum of interference and to prevent unnecessary delays to ships.

4.1.4 Where appropriate, Contracting Governments should be encouraged to incorporate into their national legislation legal grounds to allow prosecution of stowaways, attempted

[2] In addition, public authorities may wish to consider the non-binding conclusion of the UNHCR Executive Committee on Stowaway Asylum Seekers (1988, No.53 (XXXIX)).

[3] Recommended Practice 4.3.1.2 of the FAL Convention.

stowaways and any individual or company aiding a stowaway or an attempted stowaway with the intention to facilitate access to the port area, any ship, cargo or freight containers.

4.1.5 Contracting Governments should consider entering into arrangements for the exchange of information and best practices regarding the detection of stowaways. The confidentiality and integrity of the information collated and shared should be ensured. The use of the information should be for official purposes only. However, Contracting Governments should also consider sharing relevant information to the extent necessary and as appropriate with shipowners and other parties to prevent future stowaway incidents.

4.2 Shipowner/master

4.2.1 Shipowners and masters should ensure that adequate security arrangements are in place which, as far as practicable, will prevent intending stowaways from getting aboard the ship, and, if this fails, as far as practicable, will detect them before the ship leaves port or, at the latest, before it arrives at the next port of call.

4.2.2 When calling at ports and during stay in ports, where there is risk of stowaway embarkation, operational arrangements and/or ship security plans should at least be equivalent to those contained in the relevant text of paragraph B/9 of the ISPS Code.[4]

4.2.3 When departing from a port, where there is risk of stowaway embarkation, a ship should undergo a thorough search in accordance with a specific plan or schedule, and with priorities given to places where stowaways might hide taking into account the specific ship type and its operations. Search methods which are likely to harm secreted stowaways should not be used.

4.2.4 Fumigation or sealing should not be carried out until a thorough search of the areas to be fumigated or sealed has taken place in order to ensure that no stowaways are present in those areas. Such searches should take place as early as possible, as referenced in the ISPS Code,[5] and after all cargo operations have finished.

4.2.5 Contracting governments are encouraged to ensure the use of appropriate non-intrusive means and technologies or measures to detect stowaways.

5 Responsibilities in relation to the resolution of stowaway cases

5.1 Questioning and notification by the master

It is the responsibility of the master of the ship which finds any stowaways on board:

.1 to make every effort to determine immediately the port of embarkation of the stowaway;

.2 to take practical steps to establish the identity, including the nationality/citizenship and the right of residence, of the stowaway;

.3 to prepare a statement containing all available information relevant to the stowaway for presentation to the appropriate authorities (for example, the public authorities at the port of embarkation, the flag State and, if necessary, subsequent ports of call) and the shipowner; in this respect the reporting

[4] Recommended Practice 4.3.2.2 of the FAL Convention.

[5] Refer to paragraph B/8.9 of the ISPS Code.

document provided in the appendix should be used and completed as far as practicable;

.4 to notify the existence of a stowaway and any relevant details to the shipowner and appropriate authorities at the port of embarkation, the next port of call and the flag State, with the understanding that when a stowaway declares himself or herself to be a refugee or an asylum seeker, this information should be treated as confidential to the extent necessary for the security of the stowaway; to ensure confidentiality in these cases no information should be forwarded to authorities public or private in the country of origin or residence of the stowaway;

.5 not deviate from the planned voyage to seek the disembarkation of stowaways discovered on board the ship after it has left the territorial waters of the country where the stowaways embarked, unless:

- permission to disembark the stowaways has been granted by the public authorities of the State to whose port the ship deviates; or
- repatriation has been arranged elsewhere with sufficient documentation and permission for disembarkation; or
- there are extenuating safety, security, health or compassionate reasons; or
- attempts to disembark in other ports on the planned voyage have failed and deviation is necessary in order to avoid the stowaways remaining on board for a significant period of time;

.6 to ensure that the stowaway is presented to the appropriate authorities at the next port of call in accordance with their requirements;

.7 to take appropriate measures to ensure the security, general health, welfare and safety of the stowaway until disembarkation, including providing him or her with adequate provisioning, accommodation, proper medical attention and sanitary facilities;

.8 to ensure that stowaways are not permitted to work on board the ship, except in emergency situations or in relation to the stowaway's accommodation and provisioning on board; and

.9 to ensure that stowaways are treated humanely, consistent with the basic principles.

5.2 The shipowner

It is the responsibility of the shipowner of the ship on which stowaways are found:

.1 to ensure that the existence of, and any relevant information on, the stowaway has been notified to the appropriate authorities at the port of embarkation, the next port of call and the flag State;

.2 to comply with any removal directions made by the competent national authorities at the port of disembarkation; and

3 to cover any applicable costs relating to the removal, detention, care and disembarkation of the stowaway in accordance with the legislation of the States which may be involved.

5.3 The State of the first port of call according to the voyage plan

It is the responsibility of the State of first port of call according to the voyage plan after the discovery of the stowaway:

.1 to accept the stowaway for examination in accordance with the national laws of that State and, where the competent national authority considers that it would facilitate matters, to allow the shipowner and the competent or appointed P&I Club correspondent to have access to the stowaway;

.2 to favourably consider allowing disembarkation and provide, as necessary and in accordance with national law, secure accommodation which may be at the expense of the shipowner, where:

.1 a case is unresolved at the time of sailing of the ship; or

.2 the stowaway is in possession of valid documents for return and the public authorities are satisfied that timely arrangements have been or will be made for repatriation and all the requisites for transit fulfilled; or

.3 other factors make it impractical for the stowaway to remain on the ship; such factors may include but are not limited to cases where a stowaway's presence on board would endanger the safe and secure operation of the ship, the health of the crew, other persons on board or the stowaway;

.3 to make every effort to cooperate in the identification of the stowaway and the establishment of his or her nationality/citizenship or right of residence;

.4 to make every effort to cooperate in establishing the validity and authenticity of a stowaway's documents and, when a stowaway has inadequate documents, to whenever practicable and to an extent compatible with national legislation and security requirements issue a covering letter with a photograph of the stowaway and any other important information or, alternatively, a suitable travel document accepted by the public authorities involved; the covering letter, authorizing the return of the stowaway either to his or her country of origin or to the point where the stowaway commenced his or her journey, as appropriate, by any means of transportation and specifying any other conditions imposed by the authorities, should be handed over to the operator affecting the removal of the stowaway; this letter will include information required by the authorities at transit points and/or the point of disembarkation;

.5 to give directions for the removal of the stowaway to the port of embarkation, State of nationality/citizenship or right of residence or to some other State to which lawful directions may be made, in cooperation with the shipowner;

.6 to inform the shipowner on whose ship the stowaway was found of the level of cost of detention and return and any additional costs for the documentation of the stowaway, if the shipowner is to cover these costs; in

addition, public authorities should cooperate with the shipowner to keep such costs to a minimum as far as practicable and according to national legislation, if they are to be covered by the shipowner, as well as keeping to a minimum the period during which shipowners are held liable to defray costs of maintenance of a stowaway by public authorities;

.7 to consider mitigation of other charges, according to national legislation, that might otherwise be applicable when shipowners have cooperated with the competent authorities to the satisfaction of those authorities in measures designed to prevent the transportation of stowaways; or where the master has properly declared the existence of a stowaway to the appropriate authorities in the port of arrival, and has shown that all reasonable preventive measures had been taken to prevent stowaways gaining access to the ship;

.8 to issue, if necessary, in the event that the stowaway has no identification and/or travel documents, a document attesting to the circumstances of embarkation and arrival to facilitate the return of the stowaway either to his or her State of origin, to the State of the port of embarkation, or to any other State to which lawful directions can be made, by any means of transport;

.9 to provide the document to the transport operator effecting the removal of the stowaway;

.10 to contact the relevant public authorities at transit points during the return of a stowaway, in order to inform them of the status of the stowaway;

.11 to take proper account of the interests of, and implications for, the shipowner when directing detention and setting removal directions, so far as is consistent with the maintenance of control, their duties or obligations to the stowaway under the law, and the cost to public funds;

.12 to report incidents of stowaways of which they become aware to the Organization;[6]

.13 to cooperate with the flag State of the ship in identifying the stowaway and his or her nationality/citizenship and right of residence, to assist in removal of the stowaway from the ship, and to make arrangements for removal or repatriation; and

.14 if disembarkation is refused, to notify, without undue delay, the flag State of the ship carrying the stowaway the reasons for refusing disembarkation, except when the stowaway declares himself or herself to be a refugee or an asylum seeker and the flag State is his or her (alleged) country of origin from which he or she has fled and in which he or she claims a risk of harm.

5.4 Subsequent ports of call

When the disembarkation of a stowaway has not been possible at the first port of call, it is the responsibility of the State of the subsequent port of call to follow the guidance provided in paragraph 5.3.

6 Refer to FAL.2/Circ.50/Rev.3 on *Information on stowaway incidents*, as may be amended.

5.5 State of embarkation

It is the responsibility of the State of the original port of embarkation of the stowaway (i.e. the State where the stowaway first boarded the ship):

.1 to accept any returned stowaway having nationality/citizenship or right of residence;

.2 to accept a stowaway back for examination where the port of embarkation is identified to the satisfaction of the public authorities of the receiving State; the public authorities of the State of embarkation should not return such stowaways to the State where they were earlier found to be inadmissible;

.3 to apprehend and detain the attempted stowaway, and any individual or company aiding an attempted stowaway with the intention of facilitating access to the port area, any ship, cargo or freight containers where permitted by national legislation, if the attempted stowaway is discovered before sailing either on the ship or in cargo due to be loaded; to refer the attempted stowaway and any individual or company aiding an attempted stowaway with the intention of facilitating access to the port area, any ship, cargo or freight containers to local authorities for prosecution, and/or, where applicable, to the immigration authorities for examination and possible removal; no charge is to be imposed on the shipowner in respect of detention or removal costs, and no penalty is to be imposed;

.4 to apprehend and detain the stowaway and any individual or company aiding a stowaway with the intention of facilitating access to the port area, any ship, cargo or freight containers, where permitted by national legislation, if the stowaway is discovered while the ship is still in the territorial waters of the State of the port of his or her embarkation, or in another port in the same State (not having called at a port in another State in the meantime); no charge is to be imposed on the shipowner in respect of detention or removal costs, and no penalty is to be imposed;

.5 to undertake an investigation into how the stowaways managed to gain access to the ship and consider modifying security provisions, as appropriate, and thereafter provide feedback to the appropriate public authority at the port of disembarkation;

.6 to report incidents of stowaways or attempted stowaways of which they become aware to the Organization;[7] and

.7 to reassess the preventive arrangements and measures in place and to verify the implementation and effectiveness of any corrective actions.

5.6 State of nationality or right of residence

It is the responsibility of the apparent or claimed State of nationality/citizenship of the stowaway and/or of the apparent or claimed State of residence of the stowaway:

.1 to assist in determining the identity and nationality/citizenship or the rights of residence of the stowaway and to document the stowaway accordingly once satisfied that he or she holds the nationality/citizenship or the right

[7] Refer to FAL.2/Circ.50/Rev.3 on *Information on stowaway incidents*, as may be amended.

of residence claimed; where possible, the local embassy, consulate or other diplomatic representation of the country of the stowaway's alleged nationality will be required to assist in verifying the stowaway's nationality and providing emergency travel documentation;

.2 to seek to cooperate with foreign embassies through cooperation mechanisms in determining the nationality of stowaways to mutually understand and resolve the true facts of each case;

.3 to accept the stowaway where nationality/citizenship or right of residence is established; and

.4 to report incidents of stowaways of which they become aware to the Organization.[8]

5.7 The flag State

It is the responsibility of the flag State of the ship:

.1 to be willing, if practicable, to assist the master/shipowner and the appropriate authority at the port of disembarkation in identifying the stowaway and determining his or her nationality/citizenship or right of residence;

.2 to be prepared to make representations to the relevant authority to assist in the removal of the stowaway from the ship at the first available opportunity;

.3 to be prepared to assist the master/shipowner or the authority at the port of disembarkation in making arrangements for the removal or repatriation of the stowaway; and

.4 to report incidents of stowaways of which they become aware to the Organization.[9]

5.8 Countries of transit during repatriation

Public authorities in countries of transit during the return of any stowaway should allow, subject to normal visa requirements and national security concerns, the transit through their ports and airports of stowaways travelling under the removal instructions or directions of public authorities of the country of the port of disembarkation.

[8] Refer to FAL.2/Circ.50/Rev.3 on *Information on stowaway incidents*, as may be amended.

[9] Refer to FAL.2/Circ.50/Rev.3 on *Information on stowaway incidents*, as may be amended.

APPENDIX

STOWAWAY DETAILS REFERRED TO IN RECOMMENDED PRACTICE 4.6.2 OF THE CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME TRAFFIC 1965, AS AMENDED

SHIP DETAILS	*Date of birth:*
Name of ship:	*Place of birth:*
IMO number:	*Claimed nationality:*
Flag:	*Home address:*
Company:	*Country of domicile:*
Company address:	*ID document type, e.g. passport no.:*
	ID card no. or Seaman's book no.:
Agent in next port:	*If yes,*
Agent address:	*When issued:*
IRCS:	*Where issued:*
Recognized mobile satellite service identity:	*Date of expiry:*
Port of registry:	*Issued by:*
Name of master:	
	Photograph of the stowaway:
STOWAWAY DETAILS	Photograph if available
Date/time found on board:	
Place of boarding:[10]	
Country of boarding:	
Date/time of boarding:	
Intended final destination:	
Stated reasons for boarding the ship:[11]	*General physical description of the stowaway:*
Surname:	
Given name:	
Name by which known:	
Gender:	
First language:	*Other languages:*
Spoken:	*Spoken:*
Read:	*Read:*
Written:	*Written:*

[10] Include port, port facility number, berth and terminal information.

[11] If the stowaway declares himself or herself to be a refugee or an asylum seeker, this information shall be treated as confidential to the extent necessary to the security of the stowaway.

Other details:

Method of boarding, including other persons involved (e.g. crew, port workers), and whether the stowaway was secreted in cargo/container or hidden in the ship:

Inventory of the stowaway's possessions:

Statement made by the stowaway:

Care provided to the stowaway (first aid, clothing, food):

Date(s) of interview(s):

Stowaway's signature: *Master's signature:*

Date: *Date:*

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