



The problem of stowaways on board merchant ships: Experience with ROPAX ships in Spanish ports

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ARTICLE INFO

Article history:

Received 29 Jan 2022;
in revised from 02 Feb 2022;
accepted 26 Feb 2022.

Keywords:

Stowaway; ISPS; OPB, Maritime Security, Illegal Immigration.

ABSTRACT

Throughout this work we will discuss many of the problems of the so-called stowaways, their definition, why they embark clandestinely on ships, what are their most common ways of accessing the ships, the risks they run when trying to do so, etc. On the one hand, we will also find the law on maritime navigation which regulates the status of stowaways. On the other hand, we will explain what maritime security is, how security levels are established and who decides what levels ports and their vessels are at, what means would be used to communicate these changes, etc. We will also talk about some of the ports with the highest number of stowaways, from personal experience, providing images to get an idea of what each port we are talking about is like and also adding a small personal contribution of some things that could have been changed or implemented during the time of the highest number of stowaways in the ports. .

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1. Introduction.

A stowaway or clandestine traveller is a person who secretly boards a vehicle, such as ships, planes, trains, cargo trucks or other means of transport.[1]

Often, the purpose is simply to move from one place to another without having to pay travel costs. On other occasions, the motive is to gain access to other countries without the need to obtain a travel visa or other authorisation beforehand. The main difference between stowaways and human trafficking or smuggling is that the stowaway has to avoid detection by the carrier, in this case by the ship's crew, and by any other person responsible for the safety of the means of transport.[2]

Throughout history, thousands of stowaways have travelled either by sea or by land. A much smaller number of individuals have attempted to stowaway on aircraft, and many stowaways have lost their lives in the attempt, particularly at sea, by rail or on board aircraft, hidden in the wheels of aircraft.

The term comes from the expression "stowaway". This expression is very old and is used to refer to goods and how they should be stowed on board ships. The word was also used (later) to refer to people. This gave rise to names such as stowaways, when the correct name today in modern English is stow-away. Depending on the circumstances, people were stowed away for the purpose of concealment, or else to be transported as slaves. The approach to stowage of human beings is very old; it was banned for example by the Spanish crown in 1748, calling those who travelled clandestinely "stowaway".[3]

Since ships began trading internationally, there have always been people who have sought to improve their living conditions, or who are fleeing conflict situations, oppression or persecution, but do not have the financial resources to move from one place to another.

Thus, the concept of "stowaway travel" on ships was born.

In recent times, however, this problem has increased as a result of various global developments and the fact that more and more individuals are willing - or desperate enough - to take the risk of stowing away on board all types of merchant ships, but mainly container ships.

The Facilitation of International Maritime Traffic Convention, 1965, as amended, (FAL Convention), states that a stow-

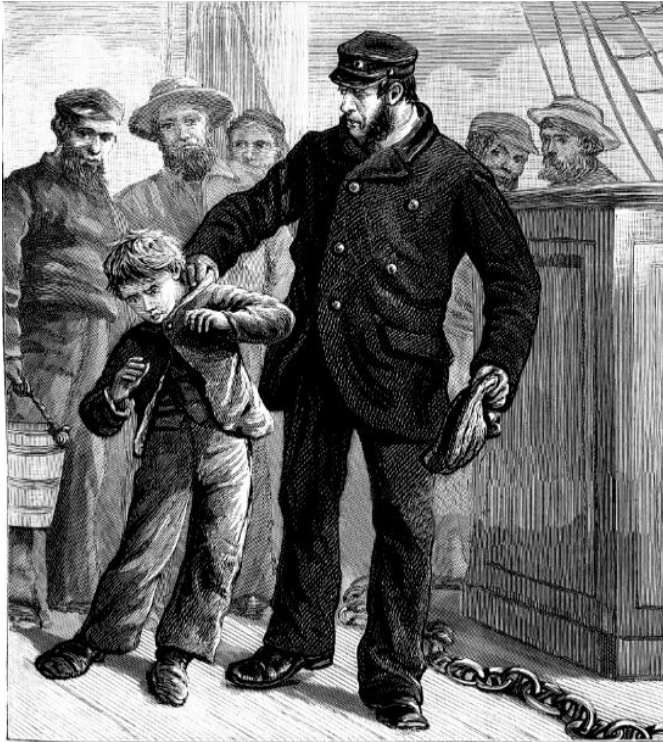
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away is: "A person who stows away on a ship, or in cargo subsequently loaded on the ship, without the consent of the owner or the master or any other responsible person and who is detected on board the ship after it has sailed from a port, or in the cargo while being discharged at the port of arrival, and who is reported as a stowaway by the master to the competent authorities." [4]

Figure 1: A Victorian ship's master angrily grabs the neck of a small boy who has stowed away on his ship, while some of the crew look on.



Source: gettyimages.es.

In short, a stowaway is nothing more than a person who hides on a ship, or in cargo, without the consent or knowledge of the shipowner, the ship's master or crew members, and who remains on board the ship after it has left port.

Most of these stowaways come from areas of armed conflict or from countries in extreme poverty. This is a global problem, although many of them come from Asian countries and the African continent in search of opportunities and a new life elsewhere.

There are also poorly paid workers working in and around ports and harbours who are looking for a free means of transport to return home at the end of their contract, or even during national holidays such as Christmas or New Year's Day. [5]

But how risky is it to stow away on a ship?

Stowing away on a ship carries a great risk for the person in question. A container ship, for example, is a large vessel with a wide range of highly specialised areas, equipment, machinery and other facilities.

Figure 2: Container used to carry stowaways.



Source: Wikiwand.

Unlike a crew member or seafarer who has received rigorous training and experience working on a ship, the stowaway will not only find himself in an unfamiliar environment, but will also be unprepared in the event of any kind of mishap.

Figure 3: Image from security camera of unauthorised access to the vessel.



Source: Wikiwand.

In addition, they are exposed to months at sea without adequate food and drink, in very unsanitary conditions (showering and bathing are not really an option...) and in a strange and generally high-risk environment, which can lead to severe illness and even the possibility of death.

Starvation, dehydration, asphyxiation, hypothermia and even drowning are real threats that are present on board.

But, we can ask ourselves whether having a stowaway or stowaways on board can cause any kind of inconvenience. In a word, the answer is yes. Finding a stowaway - or stowaways - on board a ship represents a huge problem for virtually everyone involved.

In addition, the existence of a stowaway on board entails financial consequences, often significant, for the shipowner and the authorities of the ports of call, as well as problems for the captain and the crew, who now have to deal with strangers on their ship when they are already busy with their daily work.

Nowadays, crews have been greatly reduced precisely because of increased automation of ships and to reduce costs and, in the worst case, there may even be more stowaways on board than crew members.

We may also wonder how these stowaways are able to get on board ships. The owner or master of a ship is responsible for ensuring that all access points such as doors, hatches and other areas where access can be gained are closed and secured. He or she must also ensure that the deck is guarded at all times and that there is adequate lighting at night.

However, stowaways are very skilful and can and do find ways to circumvent a ship's security and safety measures.

Figure 4: Stowaways on the rudder blade.



Source: safety4sea.com.

If a stowaway wants to embark without being detected, he or she must be stealthy and discreet. Most stowaways embark late at night under cover of darkness or very early in the morning, when most of the crew are likely to be asleep.

They usually wear similar clothes, uniforms or work equipment to the crew and may even carry fake IDs in case they are intercepted by security personnel.

Stowaways often hide in empty shipping containers and some even climb the berthing lines to board the ship that way.

Still others may also have paid port security a bribe to turn a

blind eye and allow them access to restricted areas so that they can board the ship more easily.

Once on board, the size of the ship offers a variety of hiding places. In addition to empty containers, stowaways can also hide in engine rooms, tanks or tanks, cargo holds, accommodation spaces, lockers, chain boxes, cranes, the wheelhouse, behind false bulkheads or walls, or even in the servo room and rudder area. It does not take much imagination to understand how risky this can be.

Another issue to be discerned is that once stowaways are detected on board, what kind of rights they have. There is currently an international convention concerning stowaways, but although it has been in existence for more than 50 years, it is not applicable because it has not been ratified by a sufficient number of states. [6]

The convention covers issues such as the responsibility of the authorities and the ship's captain in the event that stowaways are discovered on board, as well as the regulations and possible costs for their return to the country of origin.

And although the convention has not been endorsed, the UN Universal Declaration of Human Rights provides stowaways with basic protection of their fundamental rights, such as the right to freedom from torture, slavery, discrimination and degrading treatment, as well as the right to life.

Given that our work is focused on the normal onboard operations of crewmembers, the question is: what is a crewmember to do if a stowaway is discovered? [7] It may never happen, or it may be that we are on a "hot" line and it happens all the time.

It may never happen, or on the contrary, we may be on a "hot" line and it may happen every now and then, so if we encounter a stowaway, there are some basic issues to consider:

Firstly, while it is true that having one or more stowaways on board is not a desirable situation and causes a lot of inconvenience to both the captain and the rest of the crew, we must bear in mind that these people are probably fleeing misery or other desperate situations and that stowing away does not make them criminals at all. [8]

According to the UN declaration, their fundamental human rights must be respected and they must be treated with propriety while on board.

Apart from this, there are a number of measures that the crew members in charge must take when a stowaway is discovered: [9] [10] The following is a list of measures to be taken by the crew members in charge.

- Check their health condition and provide medical attention if necessary.
- Attempt to establish identity and provenance.
- Ask him/her about the reasons why he/she has stowed away on board.
- Ensure that food and drink are available.
- Provide them with accommodation and access to toilets.
- Ensure that they understand the ship's security and safety protocols.

- If necessary, provide them with a place in the lifeboat and a lifejacket and teach them how to use it.
- Contact the ship's consignee or shipowner to inform them of the situation.

In the case of a stowaway being discovered, the master or responsible officers shall determine exactly where and how they gained access to the ship, and shall make a signed declaration containing all relevant information concerning the stowaway(s).

Figure 5: Stowaway lodged in the chain's pipe.



Source: portagent.mu.

They must notify the port authority in advance before the ship's next port of call and this declaration must be presented to the authorities when the stowaway is disembarked from the ship.

During the stowaway's stay on board, the master has the power to ensure that a certain level of discipline is maintained, but the stowaway must not be arrested or detained and must not be forced to perform work to pay for his or her passage. [10]

Preventive measures can be taken to prevent stowaways from boarding. One of the operational requirements of the International Ship and Port Facility Security (ISPS) Code is to prevent unauthorised access to ships, including stowaways. The Code requires a ship security assessment to be carried out which should consider all possible threats of unauthorised access. The main strategy is to ensure that no unauthorised personnel can gain access to the ship and that all persons who have been authorised to board but are not crew members disembark before departure. It notes the importance of ensuring that there is a person on watch at any access point that is to remain open while the ship is in port. In addition, the watchkeeper should be familiar with those procedures applicable when visitors, repair personnel, stevedores or other authorised personnel come on board. Physical access control and regular patrols, with particular attention to persons in unusual areas, should be supplemented by surveillance of all access points.

Prior to departure, a thorough search of all compartments should be carried out by the crew and the result recorded in the logbook.

Certain precautionary measures should be taken by the crew, especially when such ships trade with ports with a high risk of stowaways:

- Cover rudder compartment openings with gratings or steel bars to prevent stowaways gaining access to the area.
- Install an inspection hatch in the steering gear room to allow inspection of the rudder body prior to departures.
- Install an inspection hatch in the steering gear room to allow inspection of the rudder stem prior to departures.
- When in ballast, carry out a rudder inspection, e.g. using the ship's rescue boat or pilot boat prior to departure.

2. What is a stowaway?.

According to the Real Academia Española, it is: 'A person who travels clandestinely on a ship or plane or, by extension, on another means of transport'. [11]

A stowaway is a person concealed on a ship, (or in cargo subsequently loaded onto the ship), without the consent of the shipowner, the master or any other responsible person, and who is found on board after the ship has left port, and who is reported by the master as a stowaway to the relevant authorities.

Figure 6: Group of stowaways found on board a boat in Djibouti port.



Source: nationalgeographic.org.

3. Risks of stowaways boarding by sea?.

Stowaways embarking clandestinely on board ships have many risks, such as the following: [12]

- Entrapment between trays or plates.
- Danger of freezing to death when smuggled onto refrigerated platforms.

- Danger of drowning when trying to access the ship from the side from the sea.
- Danger of starvation.
- Danger of being run over by the same rafts where they hide.

- Inside the holes of the Trailer where the "Mafis" that load and unload the ship are hooked in.

Figure 9: Detail of the hole where the stowaways are hiding in the trailer.



Source: Authors.

- Into bulk cargo.
- Inside the refrigerated platforms.

Figure 10: Stowaway detected in reefer containers.



Source: Authors.

- In the ship's chain chest.
- In the funnels.
- Into Lifeboats.
- In Clearance areas together with the passage.

3.1. Places where we might find a stowaway on board.

There are many places on a ship where stowaways could hide, the following are the most commonly used by stowaways: [13].

- On the roof of the rafts or trailers.

Figure 7: Stowaway on one of the containers during the loading operation.



Source: Authors.

- At the bottom of trailers.
- In the trailer cabinet.

Figure 8: Detail of the container cabinet.



Source: Authors.

- In Hulls.
- Inside containers.

Figure 11: Video footage of container opening with stowaway in it.



Source: Authors.

- In the holes of the ramp on the seaward side of it.

Figure 12: Stowaway hanged on the stern ramp.



Source: malagahoy.es.

Many of them have tried so many times to escape on the same ship that they are so familiar with it that they can be found anywhere on the ship, even pretending to be part of the passengers themselves.

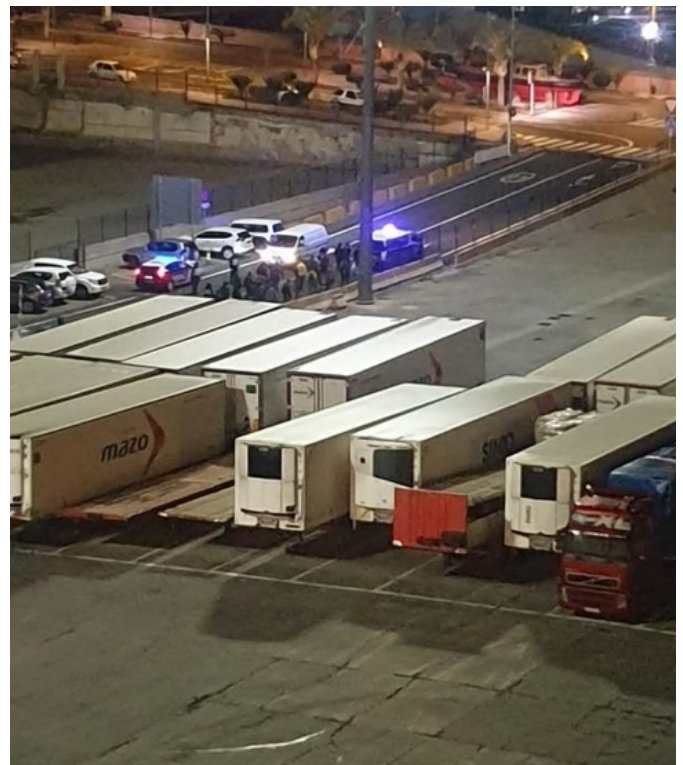
3.2. Reasons for clandestine boarding.

People who embark clandestinely have different reasons for fleeing their place of residence. There are 4 main blocks: [14]

- Economical.
- To escape from the misery of the country where they live.
- To seek a new life.
- Humanitarian reasons.
- Wars in the country of origin.
- Better health system.
- Legal reasons.
- Fleeing from justice.
- Not having documents to travel.
- Travel.
- Not having the money for the ticket.

3.3. Ways to access the ship.

Figure 13: Police deployment on the port platform during the operation for the control of immigrants.



Source: Authors.

Access to the vessel can be gained in several ways, as follows:

- By the ship's ropes.
- With the help of mafias or outsiders.
- With the help of the ship's own people.
- In containers or cargo plates.
- Using the ramp when is open.
- Inside cars or trucks.
- With the help of dock workers.

4. Origin of clandestine passenger boardings.

The main countries of origin of immigrants arriving in Spain by sea are [18]:

- Gulf of Guinea.
- Ghana.
- Mauritania.
- Senegal.
- Morocco.
- Algeria.

And the main destination countries are in Europe (Spain, France, United Kingdom, Germany,...) or North America (United States of America and Canada.)

5. Actions to take into account when a stowaway is found.

When we find a stowaway on board, we must proceed according to a number of guidelines, as this is a delicate situation involving people who we do not know how they may react. Some of these guidelines are, for example: [15].

- Control and restrict their freedom of movement on board.
- Question them, in front of witnesses, about their parentage, nationality, documentation, port of embarkation, and intention to disembark.
- Make an inventory of your personal effects.
- Ask him/her to declare whether he/she is carrying or has concealed drugs.
- Assess his apparent physical condition, and act accordingly.
- Provide decent maintenance.
- Offer first necessities.
- Provide clothing if needed, because it is wet, torn, etc.

- Provide decent accommodation.
- Inform the shipowner.
- Inform the consignee of the other port.
- Notify the competent authorities of the port of destination.
- Make appropriate entries in the logbook concerning the above points.
- If necessary, draw up a report.
- Communicate the facts to the Area Fleet Command.

5.1. Stowaways landing.

Before the stowaway is landed and handed over to the Authorities, the stowaway shall be required to sign a declaration before witnesses specifying that:

- That he/she has been treated with dignity.
- That he/she has been provided with food and accommodation.
- That you have not been forced to work.
- That you disembark with the same belongings you declared at the time you were discovered on board.

If he refuses to sign this declaration, it shall be signed by the witnesses, and the Master shall so record in the logbook. All the above entries should be made as soon as possible..

5.2. Repatriation Requirements.

For the repatriation of such stowaways to their country, we need their documentation (Identity Card; Passport; Laissez Passer, etc.), in addition we must organise a travel plan back to their country of origin, they must have an escort to their final destination [16].

On the other hand, we must also have a notarised declaration from the consignee to the person and an immigration letter of destination.

5.3. Repatriation Procedures.

- Identification and presentation of the repatriation plan.
- Acceptance by the Frontier Police Commissioner and referral to the Directorate General of Police.
- Acceptance and favourable report and referral to the corresponding Government Subdelegation for signature of the resolution.

6. Port surveillance.

The port surveillance and ramp control is performed with the aim of being able to prevent stowaways from entering the ship in advance. The person in charge of ensuring that the watch is carried out satisfactorily is the ship's OPB, who in this case is the 1st officer of the bridge.

6.1. Definitions.

Port guard: That part of each ship's complement which is responsible for the execution of this procedure. The organisation of the port watch is established by the Master in such a way as to ensure compliance with the principles applicable to any port watch (STCW-95 Code, A-VIII, Part 4, paragraphs 90 to 95.3).

SSO (Ship Security Officer): the person in charge of ensuring that the ship's security regulations are complied with, usually the Chief Officer.

6.2. Description of activities.

Compliance with this procedure does not exempt any of the persons or positions listed therein from strictly complying with their obligations under applicable national and international laws, regulations, rules and codes.

Prior to taking up a watch in port, the incoming Officer (Deck or Engine) should be briefed by the Officer of the Watch on watch on the items covered by the applicable Checklist.

In accordance with the provisions of STCW-95, A-VIII, part 4, the Incoming Officer makes the appropriate checks before taking over the watch.

The Officer on Watch shall not hand over the watch to the incoming officer if he has reason to believe that the incoming officer is unfit for duty.

During the watch, the Officer of the Watch (Deck or Engineer) makes appropriate checks and takes such action as is necessary for the safety of the ship..

6.3. Responsibilities.

- The Master is the person responsible for the implementation of the watch and patrol procedure in port. He is the one who decides the composition and duration of the watch of the deck department, on the other hand, he is also responsible for defining the missions of each of the components of the watches for any event that may occur during the same; therefore, each crew member on watch in port must have a card stating the procedure to be followed in each of the events that may occur during his watch (fire or other type of emergency). [17]
- The Chief Engineer Officer is ultimately responsible for the organisation of the watch and patrol in port for which the engine is responsible.
- The Chief Officer, either deck or engineer, is responsible for verifying compliance with the procedure.
- Both deck and engineer officers are responsible for verifying that the necessary actions and checks are being carried out on this patrol.

6.4. Preventive measures.

- Maintain a guard at the entrance gate.
- Identify suspicious persons requesting entry on board.
- Conduct a thorough search prior to departure.

- Seal off rooms that are not to be used during the voyage after checking that no persons remain in them.

7. Control measures in Spanish ports.

In Spain we have several ports that are particularly "hot", that is, there are several ports that are especially sensitive to immigration and therefore to stowaways on ships. In this paper we will talk about two ports in particular:

- Canary Islands.
- Melilla.

7.1. Canary Islands ports.

The ports of the Canary Islands, being so close to Morocco and Africa, is one of the ports where most migrants arrive. Despite their proximity, many of these immigrants do not reach the Canary Islands coast alive.

In the last two years there has been a boom in the arrival of "pateras" (small boats) to the Canarian coasts, mainly due to the search for a better life far from their country. During this time it has been demonstrated that the Canarian ports are only a means to reach the peninsula, as during this time there has been an increase of immigrants trying to reach the peninsula by entering the ships illegally, either because they do not have the papers in order, because of lack of money to buy the passage or because of the government's refusal to allow them to leave the islands. Because of this, there has been an increase in the thorough checking of cargo on ships, since stowaways, as we have explained in previous sections, hide anywhere so as not to be found, even in places where their lives are in danger.

During the period when the number of stowaways on the islands was at its peak, the ports increased their surveillance of entries and exits, and the presence of police forces was increased, whether it was the Port Police, i.e. the port's own, or the Guardia Civil.

On the part of the land-based workers, surveillance and tracking of each of the platforms, containers and other goods to be loaded, whether they were full or empty, was increased, as with the help of other immigrants they managed to enter and close the place where they had got in. During this period, there were many altercations where the immigrants themselves put themselves in danger, for example, getting into full refrigerated platforms at sub-zero temperatures, having to call themselves from inside for fear of death by hypothermia or sailing in ships on top of the bulb in danger of drowning, among many others.

In the images at the end of this work, we can see groups of immigrants found trying to leave the islands by sea, as well as groups of stowaways found on board who had to be taken care of until they were handed over to the authorities at their destination, and finally police checks at the entrance to the maritime departure stations.

7.2. Melilla.

Due to the fence located between Morocco and Melilla, the port of Melilla is one of the most watched by law enforcement officers.

In this port all arriving ships must have a constant and exhaustive port guard, as at any time stowaways can try to gain access to the ship in many ways as we have explained above.

In this port, special care must be taken, as there are groups of people who try to gain access to the ship by sending lookouts to watch if there is a lookout on the bow, in order to try to gain access to the ship by swimming and climbing up the bow lines. On the other hand, the guard at the gate is also very important on these ships, as groups of immigrants gather to try to enter through the stern, or at least several of them succeed, these desperate attempts to enter the ship and try to leave illegally, brings them into trouble with the law, as once a stowaway has been sighted or is suspected to be on board or around the ship, the Guardia Civil is called, which is all over the port on patrol.

Ships with state concessions usually even have police on board, who will take care of any stowaways found on board during the entire navigation and also, as soon as the ship reaches land, they will hand them over to the local authorities. Although in this case it would not only be in case stowaways were found on board, but also in case there were any altercation during navigation, as these are very conflictive routes. [19]

7.3. Security measures at ports of arrival of the ship.

Firstly, it is important to cite the Maritime Navigation Act, Article 11, which sets out the crew's responsibility for stowaways:

Article 11. Stowaways. [20]

1. The master of any vessel bound for a Spanish port shall inform the Maritime Administration sufficiently in advance of the presence of stowaways on board. Likewise, he/she shall adopt the appropriate measures to keep them on board in dignified conditions until their arrival at port and, if appropriate in accordance with the regulations on aliens and immigration, shall hand them over to the competent authorities.

2. In the case of either the landing of the stowaways because their situation on the ship is inhuman or degrading, or because they require medical or humanitarian assistance, or their repatriation by the competent authorities, the shipowner and the consignee of the ship that transported them shall be jointly and severally liable for the cost of their maintenance, accommodation, legal and interpreter assistance, and repatriation by the competent authorities. In order to guarantee compliance with this obligation, the Maritime Administration may order the provision of sufficient security on pain of detention of the vessel in port.

3. The provisions of this Article shall be without prejudice to any criminal or administrative liability that may be incurred by masters or other members of the crew where there is connivance in the loading of stowaways or where the measures referred to in paragraph 1 have not been taken.

At this point, having explained the different security levels for ships and port facilities, as well as who decides which levels to set at any given time, we will now explain the different levels at which our ship arrives, the level it is at, what measures they use to prevent any risk and, in our opinion, what could be improved. Next, we will explain the different ports in which our ship arrives, the level at which it is, what measures are used to prevent any risk and we will also briefly explain, in our opinion, what could be the improvement for each port for the prevention of stowaways both in port and later on board the ships.

7.3.1. Santa Cruz de Tenerife.

In the port of Santa Cruz de Tenerife we have several entrances, two for vehicles and two for pedestrians. The entrances for vehicles are located, one to enter from the south of the island and the other to enter from the San Andrés area, while the entrances for pedestrians are located, one on the Avenida Anaga promenade and the other by the passenger terminal.

First of all, we will talk about the vehicle entrances to the port. At both entrances we will find Port Police booths with their respective barriers which operate 24 hours a day and which also operate remotely from the offices of the Port Police of Santa Cruz de Tenerife. Furthermore, the great majority of the barriers in this port have a number plate reader or a card reader which are only available to people who work regularly in the port.

On the one hand, we will talk about the entrances for pedestrians in the port, these entrances are not as regulated as those for vehicles, as the entrances do not have any barrier or personnel to manage the entry and exit of people from outside the port; On the other hand, although the measures for pedestrians are not as extensive, it is true that the entrance for pedestrians has a timetable regulated by the Port Police, who are in charge of opening and closing the entrances in the morning and at night, thus preventing people from outside the port from entering the port without any kind of supervision.

In addition, we must bear in mind that throughout the entire length of the port we can find closed circuit surveillance cameras or CCTV cameras to which the Port Police have access at any time and instantaneously, in addition to the fact that the images are permanently recorded on an external disk..

However, practically all the companies that operate ships in this port have fences for the closure of their own enclosures and their own guardian to ensure that no one can easily enter the enclosures and cause damage or, in the case of ships, enter them illegally. [22]

Inside this port, we can also find a barracks of the Guardia Civil, which is in charge of inspecting all vehicles that enter by sea from anywhere in order to avoid smuggling, undeclared objects or possible stowaways that could be inside these vehicles, either with the consent of the owners or with the help of an external person.

Between 2020-2021 there was an increase in the number of arrivals of migrants to the islands, especially to Tenerife, and the number of attempts by migrants to leave the islands for the mainland increased, mainly due to the government's refusal to let them travel from the islands to their desired destination. This

Figure 14: Access control in port areas, by means of security checkpoints.



Source: Authors.

Figure 15: Access gate to the loading/unloading area of the quay alongside the ship.



Source: Authors.

refusal was in some cases due to a lack of papers, in others simply because they were not allowed to do so. This led immigrants who wanted to leave the island to try another way, which in this case was by means of the ships that left the port, although on many occasions they did so on ships that only went between islands, thus truncating their ambitions of leaving for the mainland. Although the port and the ships did not increase their level of protection, there were some improvements in security during the loading and unloading of ships entering and leaving the port:

- Increased surveillance of goods entering the terminal from the shore by terminal guards.
- Enclosures on the ship's bow chocks.
- Checking of the hatches.

- Checking of containers, whether full or empty.
- Increased surveillance of the terminal.
- Review of vehicles to be loaded.
- Security forces from both the port and the Guardia Civil were present in case they found any stowaways, either on board or in the terminal.

Even with all these improvements, many of the weeks in which the ships left for the mainland during the sailings they would find stowaways who were travelling illegally on board. They were found thanks to the raids carried out by the sailors themselves the day after departure, searching in the places where they thought they could hide, such as lifeboats, storerooms, etc.

Many of these stowaway boardings of ships could have been avoided if the port had been more vigilant during this period of time at all entrances and exits, i.e. if the barriers at the vehicle entrances had been kept closed with proper surveillance to determine who was entering and who was leaving the port, on the other hand, to have kept the entrances for pedestrians under greater surveillance, i.e. to have kept the entrances to the port for pedestrians and people outside the port closed at earlier hours, and also to have ensured that all people outside the port were kept out of the port. On the other hand, on the part of the ships, they should have increased the number of crew, so that when arriving in the most conflictive ports, better surveillance could be carried out from the ships themselves and of the incoming cargo, especially during night watches.

7.3.2. Las Palmas.

In the port of Las Palmas we have two entrances, one for goods and passenger vehicles and the other for pedestrians. In addition, the entrance to the port for goods and passenger vehicles is shared with the entrance to a small industrial estate where many companies related to the maritime world are located.

First of all, we will talk about the entrance and exit of goods and passenger vehicles. At this entrance there is a port police office, where we always find a port police officer watching who enters the port and for what reason, although at this same entrance there is a pedestrian crossing, and pedestrians are not asked where they are going. However, at the exit, which is on the other side of the road, there is an office of the Civil Guard, which is in charge of checking where the lorries leaving the port are going and what they are carrying, although on some occasions, when there are more vehicles in the port, they check some cars for illegal goods, weapons or any other type of illegal object.

On the other hand, the pedestrian entrance from the centre is manned during the day by a security guard who checks who enters and where, and also has a card entrance for people who do not belong to the port. However, this entrance leaves a side door open during the night, where there is no record of who enters and who leaves.

Furthermore, for the entrance to the ship terminal for loading and unloading, we have a fence or wall, that is to say, the enclosure is completely fenced off, and at the entrance we have

a security guard 24 hours a day to watch over the entrance, as well as making sure that the people entering or leaving are from the ships that are berthed inside the enclosure. This security guard, in addition, every two or three hours, makes a tour of the esplanade to keep an eye on the goods parked inside, and makes a visual tour of the possible entrances for people trying to enter the place illegally.

With the increase in arrivals of immigrants to the island of Gran Canaria between 2020-2021, and although the government, as in other ports, did not raise the level of security of these, the ship-terminal decided to make some improvements during loading to try to prevent people from boarding the ship in an irregular manner. These improvements were:

- Terminal security staff conducted more rounds during the night.
- The gate at the entrance to the compound was always kept closed.
- One of the ship's seafarers was exclusively engaged during loading in the search for strangers in the bunkers, or in the openings of the bunkers.
- The boots of the cars to be loaded on board were checked before loading.
- The bow hatches of the ship were enclosed.
- Increased surveillance of the stern of the vessel was maintained during the night.
- A thorough search was made before sailing for places where stowaways might be found.

At the time when there was the greatest influx of immigrants on the island, and knowing that their intention was to travel to the mainland and that the government would not let them leave by air even if they had the money and the relevant papers to do so, the port should have increased the search for people inside the lorries that entered the port with goods, as many of these immigrants dealt with the lorry drivers themselves so that they could pass them inside the goods in exchange for some improvement for the lorry driver.

On the one hand, greater attention should have been paid to the entry of pedestrians into the port, and the entrances to the port should have been closed, so that only qualified port personnel could pass through the entrance, and only people who worked or were going to travel could pass through, having to present a document accrediting their testimonies. On the other hand, the ship's crew had to be increased in order to have greater vigilance during night watches and loading in the ports.

In addition, the search for these people inside the ship's enclosure had to be increased, as many of them gained access to the ship by jumping over the fences that surround it, and could thus try to get through the lines at the bow or even hide inside the goods or the boots of the cargo cars that were already in the enclosure beforehand.

Figure 16: Muelle de la Luz access roundabout.



Source: Authors.

Figure 17: Police checkpoint and access gate to the ship.



Source: Authors.

7.3.3. Santa Cruz de La Palma.

The port of Santa Cruz de La Palma has two different entrances, one from the centre of the island and the other for those coming from the higher areas, neither of which has regulatory personnel to check in or out of the port.

Being such a quiet island and not having been so exposed to immigration at the height of the boom, the cargo entering the ship was checked sporadically. And at no time were security measures reinforced, neither by the port nor by the ship in question.

7.3.4. Cádiz.

As Cadiz was the port of final destination of the ship and in this case also of the stowaways, security measures were not increased for loading in this port, neither on the ship nor in the port.

If a stowaway was found during the voyage to Cadiz, the company was informed by e-mail, so that on the arrival of the ship, the security forces of the port would come to pick up and take charge of the stowaway, and the OPB would have to hand over the personal objects seized from the stowaway on the voyage, which could be telephones, wallets with documentation,

Figure 18: Esplanade of the port of Santa Cruz de La Palma.



Source: Authors.

Figure 19: Access to the ship in the port of Santa Cruz de La Palma.



Source: Authors.

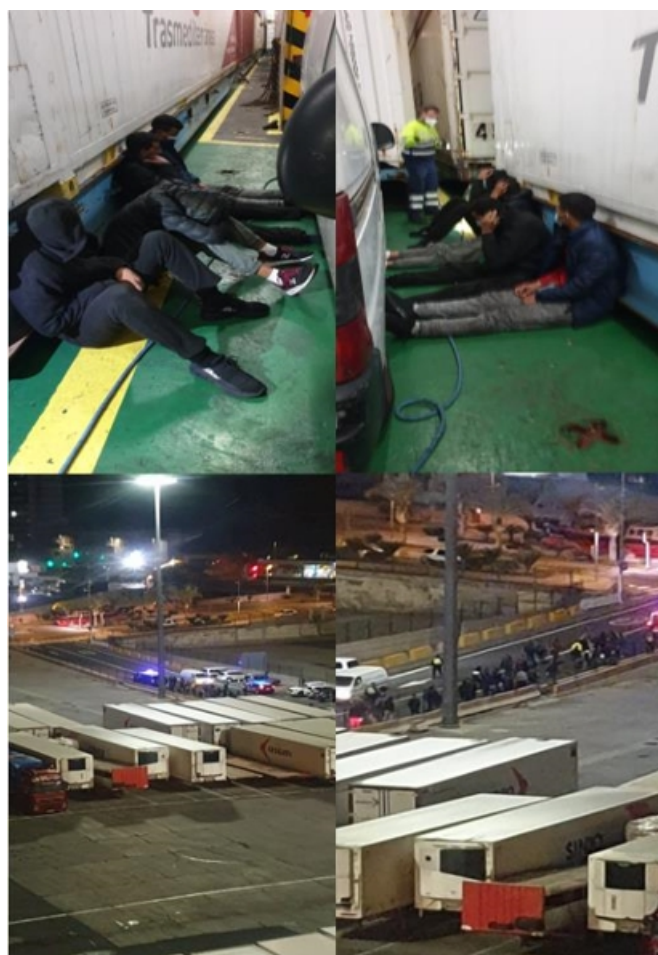
knives, etc. Furthermore, upon arrival at the port and after handing over the stowaway to the security forces, they must take responsibility for the stowaway until it is determined what to do with him/her.

On the other hand, if the port authorities determine that the stowaway has to be returned to the islands, the company of the ship that brought him/her to the port is responsible for the costs of returning the stowaway to his/her destination.

Conclusions.

Based on our experience, we observed that the question of the existence of stowaways on board, the rights and obligations concerning stowaways, is generally not dealt sufficiently in detail. In many cases, crews have no idea what to do when a stowaway is found on the ship. There needs to be a minimum of knowledge on this subject on any ship, as stowaways not only enter the ship in the ways described above, but could also

Figure 20: Detail of police operation for stowaways discovered on board.



Source: Authors.

be any person who inadvertently enters the ship without a ticket and is found during the voyage.

This lack of knowledge on the part of some crews could simply be remedied with small specific training sessions on the subject by specialists in the area, often reminding them of what should be done in such cases. This knowledge is of vital importance, firstly to maintain effective surveillance and therefore the safety of the ship, and secondly for the safety of the stowaway, who is often facing significant risks that can endanger his or her health and even physical integrity.

It is of great importance that the crews know at all times how they should act and address these persons, what their rights are and what measures should be taken in accordance with the regulations in force, so that the measures taken by the crew comply at all times with the requirements of international conventions and human rights.

A ship offers plenty of places to hide, although the security measures adopted in recent decades mean that stowaways are increasingly taking more risks when boarding a ship, often being left under the supervision and care of an already small crew when they are discovered, until they can be taken into the

custody of the authorities.

Although the problem of stowaways is not something new and has already been "common" in the maritime sector, it is true that in recent times it is a problem that has increased, especially with regard to Europe in general and Spain in particular as a port of destination, without there being a clear and effective solution to prevent this practice for the time being.

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