
THE BRUSSELS CONVENTION

The International Convention relating to Stowaways, Brussels, 10th October 1957

The High Contracting Parties,

Having recognised the desirability of determining by agreement certain uniform rules relating to stowaways, have decided to conclude a Convention for this purpose, and thereto have agreed as follows:

Article 1

In this Convention, the following expressions shall have the meanings specified hereunder:

"Stowaway" means a person who, at any port or place in the vicinity thereof, secretes himself in a ship without the consent of the shipowner or the Master or any other person in charge of the ship and who is on board after the ship has left that port or place.

"Port of Embarkation" means the port or place in the vicinity thereof at which a stowaway boards the ship on which he is found.

"Port of Disembarkation" means the port at which the stowaway is delivered to the appropriate authority in accordance with the provisions of this Convention.

"Appropriate Authority" means the body or person at the port of disembarkation authorised by the Government of

the State in which that port is situated to receive and deal with stowaways in accordance with the provisions of this Convention.

"Owner" includes any charterer to whom the ship is demised.

Article 2

(1) If on any voyage of a ship registered in or bearing the flag of a Contracting State a stowaway is found in a port or at sea, the Master of the ship may, subject to the provisions of paragraph (3), deliver the stowaway to the appropriate authority at the first port in a Contracting State at which the ship calls after the stowaway is found, and at which he considers that the stowaway will be dealt with in accordance with the provisions of this Convention.

(2) Upon delivery of the stowaway to the appropriate authority, the Master of the ship shall give to that authority a signed statement containing all information in his possession relating to that stowaway including his nationality or nationalities, his port of embarkation and the date, time and geographical position of the ship when the stowaway was found, as well as the port of departure of the ship and the subsequent ports of call with dates of arrival and departure.

(3) Unless the stowaway is under a previous individual order of deportation or prohibition from entry, the appropriate authority of a Contracting State shall receive any stowaway delivered to it in accordance with the foregoing provisions of this Article and deal with him in accordance with the provisions of this Convention.

Article 3

When a stowaway is delivered to the appropriate authority at the port of disembarkation:

(1) This authority may return him to any State of which it considers that he is a national and is admitted as such by that State.

(2) When, however the State or States of which the appropriate authority consider the stowaway to be a national refuses or refuse to accept his return, or when the appropriate authority is satisfied that the stowaway possesses no nationality or that, for reasons mentioned in Article 5 (2), he should not be returned to his own country, then the said authority may, subject to the provisions of Article 5 (2), return the stowaway to the State in which the port which they

consider to have been his port of embarkation is situated.

(3) However, if the stowaway cannot be returned as provided under paragraph (1) or (2) of this Article, the appropriate authority may, subject to the provisions of Article 5 (2), return him to the State in which the last port at which the ship called prior to his being found is situated.

(4) Finally, when the stowaway cannot be returned as provided under paragraph (1), (2) or (3) of this Article, the appropriate authority may return him to the Contracting State whose flag was flown by the ship in which he was found.

The State to which the stowaway is accordingly returned, shall be bound to accept the stowaway, subject to the provisions of Article 2 (3).

Article 4

The costs of maintenance of a stowaway at his port of disembarkation as well as those for returning him to the country of which he is a national shall be defrayed by the shipowner, without prejudice to the right of recovery, if any, from the State of which the stowaway is a national.

In all other cases the shipowner shall defray the costs of returning the stowaway but he will not be liable to defray maintenance costs for a period exceeding three months from time to time when the stowaway is delivered to the appropriate authority.

Any obligation to provide a deposit or bail as a guarantee for payment of the above costs shall be determined by the law of the port of disembarkation.

Article 5

(1) The powers conferred by this Convention on the Master of the ship and on an appropriate authority, with respect to the disposal of the stowaway, shall be in addition to and not in derogation of any other powers or obligations which he or they may have in that respect.

(2) As regards the application of the provisions of this Convention, the Master and the appropriate authorities of the port of disembarkation will take into account the reasons which may be put forward by the stowaway for not being disembarked at or returned to those ports or States mentioned in this Convention.

(3) The provisions of this Convention shall not in any way affect the power or obligation of a Contracting State to grant political asylum.

Article 6

This Convention shall be open for signature by the States represented at the tenth session of the Diplomatic Conference on Maritime Law.

Article 7

This Convention shall be ratified and the instruments of ratification shall be deposited with the Belgian Government which shall notify through diplomatic channels all signatory and acceding States of their deposit.

Article 8

(1) This Convention shall come into force between the ten States which first ratify it, six months after the date of the deposit of the tenth instrument of ratification.

(2) This Convention shall come into force in respect of each signatory State which ratifies it after the deposit of the tenth instrument of ratification, six months after the date of the deposit of the instrument of ratification of that State.

Article 9

Any State not represented at the tenth session of the Diplomatic Conference on Maritime Law may accede to this Convention.

The instruments of the accession shall be deposited with the Belgian Government which shall inform through diplomatic channels all signatory and acceding States of the deposit of any such instruments.

The Convention shall come into force in respect of the acceding State six months after the date of the deposit of the instrument of accession of the State, but not before the date of entry into force of the Convention as established by Article 8 (1).

Article 10

Each High Contracting Party shall have the right to denounce this Convention at any time after the coming into force thereof in respect of such High Contracting Party. Nevertheless, this denunciation shall only take effect one year after the date on which notification thereof has been received by the Belgian Government which shall inform through diplomatic channels all signatory and acceding States of such notification.

Article 11

(1) Any High Contracting Party may at any time of its ratification of or accession to this Convention or at any time thereafter declare by written notification to the Belgian Government that the Convention shall extend to any of the territories for whose international relations it is responsible. The Convention shall six months after the date of the receipt of such notification by the Belgian Government extend to the territories named therein, but not before the date of the coming into force of the Convention in respect of such High Contracting Party.

(2) Any High Contracting Party which has made a declaration under paragraph (1) of this Article extending the Convention to any territory for whose international relations it is responsible may at any time thereafter declare by notification given to the Belgian Government that the Convention shall cease to extend to such territory. This denunciation shall take effect one year after the date on which notification thereof has been received by the Belgian Government.

(3) The Belgian Government shall inform through diplomatic channels all signatory and acceding States of any notification received by it under this Article.

Article 12

Any High Contracting Party may three years after the coming into force of this Convention in respect of such High

Contracting Party or at any time thereafter request that a Conference be convened in order to consider amendments to this Convention.

Any High Contracting Party proposing to avail itself of this right shall notify the Belgian Government which shall convene the Conference within six months thereafter.

In witness thereof the Plenipotentiaries, duly authorised, have signed this Convention.

Done at Brussels, this tenth day of October 1957, in the French and English languages, the two texts being equally authentic, in a single copy, which shall remain deposited in the archives of the Belgian Government, which shall issue certified copies.

Signatories: Federal Republic of Germany, Belgium, Brazil, Vatican City, Spain, France, Greece, India, Israel, Italy, Peru, Portugal, Switzerland.

Ratifications and Accessions

Ratification	Date
Denmark	16th December 1963
Finland	2nd February 1966
Italy	24th May 1963
Norway	24th May 1962
Peru	23rd November 1961
Sweden	27th June 1962
Accessions	Date
Malgache Republic	13th July 1965
Morocco	22nd January 1959