



INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

*MV Louisa*

SAINT VINCENT AND THE GRENADINES v. THE KINGDOM OF SPAIN

FINAL SUBMISSION OF SAINT VINCENT AND THE GRENADINES  
PURSUANT TO ARTICLE 75(2), RULES OF THE INTERNATIONAL  
TRIBUNAL FOR THE LAW OF THE SEA

CASE ON THE MERITS

11 OCTOBER 2012

In accordance with Article 75(2), Rules of the International Tribunal for the Law of the Sea, Applicant Saint Vincent and the Grenadines makes the following final submission:

The Applicant requests the Tribunal to prescribe the following measures:

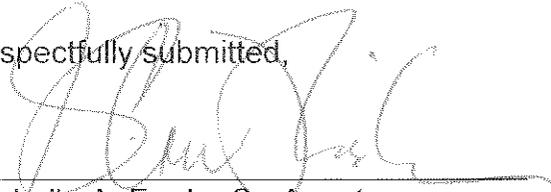
- (a) declare that the Tribunal has jurisdiction over the Request;
- (b) declare that the Request is admissible;
- (c) declare that the Respondent has violated Articles 73 (2) and (4), 87, 226, 227, 300, and 303 of the Convention;
- (d) order the Respondent to release the *Gemini III* and return property seized;
- (e) declare that the boarding and detention of the *MV Louisa* and *Gemini III* was unlawful;
- (f) declare that the detention of Mario Avella, Alba Avella, Geller Sandor and Szuszký Zsolt was unlawful and abused their human rights in violation of the Convention;
- (g) declare that the Respondent denied justice to Mario Avella, Alba Avella, Geller Sandor, Szuszký Zsolt and John B. Foster and abused the property rights of John B. Foster;
- (h) order that Respondent is prohibited from retaliating against the interests of Mario Avella, Alba Avella, Geller Sandor, Szuszký Zsolt, John B. Foster and Sage Maritime Scientific Research, Inc., including the initiation of any procedure requesting the arrest, detention, or prosecution of these individuals or the

seizure or forfeiture of their property in domestic Spanish courts;

- (i) order that Respondent is prohibited from undertaking any action against the interests of Mario Avella and John B. Foster, including the continued prosecution of these individuals in domestic Spanish courts;
- (j) order reparations to individuals in the following amounts, plus interest at the lawful rate:
  - (1) Mario Avella: € 810,000
  - (2) Alba Avella: € 275,000
  - (3) Geller Sandor: € 275,000
  - (4) Szuszkzy Zsolt: € 275,000
  - (5) John B. Foster: € 1,000
- (k) order reparations to Sage Maritime Scientific Research, Inc. in the amount of \$4,755,144 (USD) for damages and an additional amount in the range of \$3,500,000 - \$40,000,000 (USD) for lost business opportunities;

- l) order reparations to Saint Vincent and the Grenadines in the amount of € 500,000 for costs and damages to its dignity, integrity, and vessel registration business; and
- (m) award reasonable attorneys' fees and costs associated with this request as established before the Tribunal, of not less than € 500,000.

Respectfully submitted,



Rochelle A. Forde, Co-Agent  
P.O. Box 1674  
Kingstown St. Vincent  
Phone: (784) 457-2210  
Fax: (784) 457-1823  
E-mail: fordechambers@vincysurf.com

Dr. Christoph Hasche  
Dharshini Bandara  
Fleet Hamburg, LLP  
Willy-Brandt-Str. 57  
20457 Hamburg  
Phone: +49 40 5 700 700  
Fax: +49 40 5 700 70 200  
E-mail: c.hasche@fleet-hamburg.com  
E-mail: d.bandara@fleet-hamburg.com  
LOCAL COUNSEL FOR SAINT  
VINCENT AND THE GRENADINES

S. Cass Weiland, Co-Agent  
Attorney-at-Law  
Texas Bar No. 21081300  
Patton Boggs LLP  
2000 McKinney Avenue, Suite 1700  
Dallas, Texas 75201  
Phone: (214) 758-1500  
Fax: (214) 758-1550 (fax)  
E-mail: cweiland@pattonboggs.com

AGENTS AND COUNSEL FOR SAINT  
VINCENT AND THE GRENADINES