

**Responses to questions from the Tribunal
Réponses aux questions du Tribunal
(a) List of questions, 2 October 2012**

LIST OF QUESTIONS

2 October 2012

To the Applicant:

1. What is the legal justification for Saint Vincent and the Grenadines to request the release of the vessel *Gemini III* not flying its flag?

To the Respondent:

2. Are there any provisions in Spanish law that have a bearing on the compensation for financial losses suffered by the owner of a detained vessel, because of lengthy detention of the vessel which may not necessarily result in liability for the ship owner?
3. Would it be possible to clarify the timing and the purpose of the order that the Court of Cádiz issued on 29 July 2010 indicating to the owner of the *M/V Louisa* three options concerning the fate of the vessel: to maintain the vessel by the owner, to designate a depository or to auction it, having in mind that the vessel was detained at Puerto de Santa María since 1 February 2006?

To both parties:

4. Is the Spanish criminal legislation applicable in the present case in conformity with the provisions of the United Nations Convention on the Law of the Sea including article 303 thereof or other rules of international law, including in particular the UNESCO Convention of 2 November 2001 on the Protection of the Underwater Cultural Heritage?
5. What are the provisions of the applicable Spanish law that govern boarding and search of a foreign vessel in the Spanish internal waters and whether they have been complied with in this particular case? Are there any international obligations which the Kingdom of Spain is required to follow in this regard?
6. How is the owner of a foreign-flag ship supposed to fulfil the international requirements for seaworthiness while the ship is detained in a port in the course of criminal proceedings without access to it being granted?