

[emblem] THE GOVERNMENT  
OF THE GRAND DUCHY OF LUXEMBOURG  
Ministry of the Economy  
  
Luxembourg Maritime Administration

***For the reasons set out above, Luxembourg respectfully requests the Tribunal to prescribe the following provisional measures:***

***1. In order to preserve the fundamental rights and freedoms of the crew:***

- Order Mexico to continue to ensure the freedom of movement of the crew members off the vessel and their access to health-care facilities, places of worship and recreational facilities;
- Order Mexico to continue to ensure that there will be no impediments to the renewal of the crew and the necessary rotations;
- Order Mexico to continue to ensure that the crew will not be compelled by law enforcement agencies to disembark from the vessel nor be prevented from re-embarking the vessel.

***2. In order to preserve the rights of Luxembourg as the flag State:***

- Order Mexico to allow Luxembourg to effectively exercise its jurisdiction and control in administrative, technical and social matters over the vessel, and to enable any measures necessary for the preventive and corrective maintenance of the *Zheng He* in order to ensure its compliance with the national, European and international standards applicable to vessels flying the flag of Luxembourg;
- Prohibit Mexico from directly or indirectly operating the vessel *Zheng He*;
- Prohibit Mexico from taking any measures to create or transfer real rights to the vessel and from changing the flag of the vessel *Zheng He*.

***3. In order to avoid aggravating or extending the dispute:***

- Prohibit Mexico from collecting the customs fine of 1,616,462,343.52 Mexican pesos imposed on *European Dredging Company SA*;
- Prohibit Mexico from detaining, confiscating and expropriating, under any proceeding whatsoever, vessels related to the vessel *Zheng He* flying the flag of Luxembourg, whether they be the property of *European Dredging Company SA*, its parent company SOFIDRA or any other subsidiary of SOFIDRA;
- Prohibit Mexico from instituting new national proceedings or new actions against the *Zheng He*, *European Dredging Company SA*, its parent company SOFIDRA or any other subsidiary of SOFIDRA, and suspend ongoing national proceedings pending a decision on the merits.

***4. In order to ensure equality of the parties in the proceedings before the Tribunal:***

Prescribe that Mexico and Luxembourg must cooperate and, to that end, hold consultations without delay in order to:

(a) exchange additional information on the non-contentious and contentious proceedings under Mexican law instituted by Mexico against the *Zheng He*, including forthwith:

- the identification of the berths in the Port of Tampico, with their official and/or customary names, and the GPS coordinates of the endpoints of each berth;
- the regulatory texts of Mexico in force on 21 October 2023 that were officially published relating to the tax and customs regime of each berth in the Port of Tampico;
- the initiatives taken in particular by the Mexican customs and port authorities relating to the dispute concerning the *Zheng He*;

(b) prevent risks and effects resulting from maintenance work and repairs that are not carried out, inadequately carried out or belatedly carried out which could affect the vessel's classification.

Hamburg, 12 July 2024

[signature]

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