

No. 7099

**NETHERLANDS
and
UNITED STATES OF AMERICA**

**Operational Agreement on arrangements for a visit of
the N.S. *Savannah* to the Netherlands. Signed at
The Hague, on 20 May 1963**

Official texts: Dutch and English.

Registered by the Netherlands on 4 February 1964.

**PAYS-BAS
et
ÉTATS-UNIS d'AMÉRIQUE**

**Accord technique concernant les dispositions à prendre en
vue d'une visite du N. S. *Savannah* aux Pays-Bas. Signé
à La Haye, le 20 mai 1963**

Textes officiels néerlandais et anglais.

Enregistré par les Pays-Bas le 4 février 1964.

No. 7099. OPERATIONAL AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE UNITED STATES OF AMERICA ON ARRANGEMENTS FOR A VISIT OF THE N.S. *SAVANNAH* TO THE NETHERLANDS. SIGNED AT THE HAGUE, ON 20 MAY 1963

GENERAL PROVISIONS

Article 1

The Government of the Kingdom of the Netherlands is favorable in principle to the proposed visit of the N.S. *Savannah* to the port area of Rotterdam, as well as to its passing through Netherlands waters in connection with a visit to a Belgian port, and, subject to the terms of this Agreement and the Agreement on Public Liability for Damage Caused by N.S. *Savannah*, signed on behalf of both Governments at The Hague on February 6, 1963,² invites the Government of the United States of America to bring the ship into Netherlands waters.

Article 2

Entry of the N.S. *Savannah* (hereinafter referred to as "the Ship") into Netherlands waters for either of the purposes described in Article 1, and the use of the port area of Rotterdam, shall be subject to the prior approval of the Netherlands Government.

Article 3

The dates of the visits of the Ship provided for in Article 1, shall be fixed by agreement between the two Governments.

Article 4

To ensure the proper implementation of this Agreement the Netherlands Government designates the Director-General of Shipping, The Hague, as its representative.

¹ In accordance with article 29 the Agreement came into force on 22 May 1963, the date of entry into force of the Agreement on public liability for damage caused by the N.S. *Savannah*, signed by both Governments at The Hague on 6 February 1963 (see p. 113 of this volume).

² See p. 113 of this volume.

Article 5

The Director-General of Shipping shall be informed well in advance of the name and the location of the U.S. representative in the Netherlands for the purpose of the visit of the Ship.

Article 6

The Master of the Ship shall notify the Director-General of Shipping, well in advance, of the expected time of arrival of the Ship in Netherlands waters.

SAFETY ASSESSMENT AND OPERATION MANUAL

Article 7

To enable the Netherlands Government to decide whether or not approval shall be given for the Ship's entry into Netherlands waters and the Ship's use of the port area of Rotterdam, the Government of the United States shall provide a *Safety Assessment* prepared in accordance with Regulation 7 of Chapter VIII of the International Convention for the Safety of Life at Sea, 1960, and in accordance with Recommendation 9 of Annex C to the Final Act of the International Conference on Safety of Life at Sea, 1960.

Article 8

As soon after receipt of the *Safety Assessment* as is practicable the Netherlands Government shall notify the Government of the United States of its decision as to the acceptance of the Ship.

Article 9

An *Operating Manual* prepared in accordance with Regulation 8 of Chapter VIII of the International Convention for the Safety of Life at Sea, 1960, and with Recommendation 8 of Annex C to the Final Act of the International Conference on Safety of Life at Sea, 1960, shall be kept on board the Ship and shall be kept up to date.

OPERATION OF THE SHIP

Article 10

The Ship shall be operated in accordance with its *Safety Assessment* and its *Operating Manual* within Netherlands waters and the port area of Rotterdam.

Article 11

The Master of the Ship shall comply with the Netherlands regulations for shipping in Netherlands waters, unless the present Agreement provides otherwise.

USE OF THE PORT AREA OF ROTTERDAM

Article 12

The normal rules and procedures for the handling of ships obtaining in the port area of Rotterdam shall apply unless the present Agreement provides otherwise.

Article 13

The Director-General of Shipping shall make arrangements with the appropriate governmental and municipal authorities for the Ship's entry into the port area of Rotterdam, for the Ship's use of that area and for the allocation of a berth for the Ship.

Article 14

Local authorities shall provide for normal fire and police protection, and crowd control and shall make general preparations in the port area for the visit of the Ship.

Article 15

Control of public access to the Ship shall be the responsibility of the Master of the Ship. Special arrangements relating to such control shall be made by the Master with the concurrence of the authorities assigned therefor by the Netherlands Government.

INSPECTION

Article 16

While the Ship is in Netherlands waters or in the port area of Rotterdam the authorities assigned therefor by the Netherlands Government shall have reasonable access to the Ship to enable them to carry out the inspections as described in Recommendation 11 of Annex C to the Final Act of the International Conference on Safety of Life at Sea, 1960, and to determine whether the Ship has been and is being operated in accordance with its *Safety Assessment* and its *Operating Manual*.

Article 17

The Director-General of Shipping shall notify the Maritime Administrator of the United States well in advance of the authorities referred to in Article 16.

Article 18

Should the inspections referred to in Article 16 reveal that the Ship or its nuclear installation has not been or is not being operated in accordance with its *Safety Assessment* and its *Operating Manual*, or should there arise, in the opinion of the authorities assigned therefor, any imminent danger to the public, to the environment of the Ship or to the waterways, those authorities may give appropriate instructions to the Master.

SPECIAL MEASURES

Article 19

The Master shall comply with the regulations, recommendations, rules and instructions referred to in Articles 10, 11, 12 and 18 of this Agreement, unless in his opinion complying with these regulations, recommendations, rules or instructions would lessen the operating safety of the nuclear plant. In case of a difference of opinion as to the latter between the authorities in charge or assigned therefor, and the Master, the Director-General of Shipping may order the immediate removal of the Ship from Netherlands waters when in his opinion facts or circumstances make such a course necessary.

RADIOACTIVE WASTE

Article 20

The Government of the United States shall ensure that gaseous, liquid or solid radioactive waste shall remain on board the Ship in accordance with the *Operating Manual* while the Ship is in Netherlands waters or in the port area of Rotterdam unless the express prior approval of the authorities assigned therefor by the Netherlands Government has been obtained for the disposal of said waste.

CASUALTIES

Article 21

The Master of the Ship shall immediately inform the Director-General of Shipping of any accident likely to lead to an environmental hazard while the Ship is in or approaching Netherlands waters.

SECURITY

Article 22

As regards the security of the Ship while in Netherlands waters the Netherlands Government only accepts the responsibilities it usually accepts with regard to conventional ships.

MAINTENANCE, REPAIRS AND SERVICING

Article 23

If the United States Government desires to carry out maintenance work on, repairs to or servicing of the nuclear equipment of the Ship on Netherlands territory, the Netherlands Government agrees to the United States Government entering into a contract or contracts with one or more local shipyards for such work. The use of shipyards for such purposes shall be restricted to shipyards for which the prior approval of the Netherlands Government has been obtained, the giving of such approval and the conditions attached thereto being dependent on the nature of the work to be done.

Article 24

The United States authorities shall provide the necessary experts for maintenance work on, repairs to or servicing of the nuclear equipment.

Article 25

Maintenance work, repairs and servicing other than that referred to in Articles 23 and 24 will be permitted, provided the work does not involve shifting the Ship and does not affect its ability to sail under its own power. If it does the Director-General of Shipping shall be informed beforehand and the responsible authority on the Ship shall then carry out all appropriate instructions given by the Netherlands authority concerned.

Article 26

In the event of the Ship running ashore, running aground or sinking in Netherlands waters the competent authorities under Netherlands law may take the necessary action at the owners' expense. The United States Government shall offer all possible assistance and in particular shall make available any equipment which might prove necessary to expedite required operations.

FINAL PROVISIONS

Article 27

In all the contingencies not covered in this Agreement, the Netherlands Government reserves the right, after consultation with the Master, to take any measures with respect to the Ship in order to guarantee safety and security.

Article 28

In the event of the entry into force of a multilateral convention relating to the safety and operating procedures of nuclear ships to which both the Kingdom of the Netherlands and the United States of America become parties, the present Agreement shall be amended by agreement between the two Contracting Parties to conform with the provisions of such a convention.

Article 29

The present Agreement shall enter into force upon the entry into force of the Agreement on Public Liability for Damage Caused by N.S. *Savannah*, signed on behalf of both Governments at The Hague, on February 6, 1963.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Agreement.

DONE at The Hague in duplicate, in the English and Dutch languages, both texts being equally authentic, this 20th day of May, 1963.

For the Government of the Kingdom of the Netherlands :

(Signed) H. R. VAN HOUTEN

For the Government of the United States of America :

(Signed) Fisher HOWE
