

No. 9842

**UNITED STATES OF AMERICA
and
GREECE**

**Exchange of notes constituting an agreement concerning liability
during private operation of *N.S. Savannah*. Athens, 22 No-
vember 1966 and 12 January 1967**

Authentic text: English.

Registered by the United States of America on 2 September 1969.

**ÉTATS-UNIS D'AMÉRIQUE
et
GRÈCE**

**Échange de notes constituant un accord définissant les clauses de
responsabilité à l'occasion de l'exploitation du *N.S. Savannah*
par une entreprise privée. Athènes, 22 novembre 1966 et
12 janvier 1967**

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 2 septembre 1969.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT ¹
BETWEEN THE UNITED STATES OF AMERICA AND
GREECE CONCERNING LIABILITY DURING PRIVATE
OPERATION OF *N.S. SAVANNAH*

I

No. 128

The Ambassador of the United States of America presents his compliments to His Excellency the Minister of Foreign Affairs of the Government of Greece and has the honor to refer to the Agreement of April 24, 1962 ² concerning visits of the *N.S. Savannah* to Greece and to recent conversations with respect to the situation arising from the operation of the *N.S. Savannah* by a private company, rather than by the Maritime Administration of the United States Government, and from the fact that an indemnity agreement between the United States Atomic Energy Commission and the private company has taken the place of the indemnity agreement between the United States Atomic Energy Commission and the United States Maritime Administration.

In view of the inapplicability of the Agreement of April 24, 1962 to the new situation, the Embassy proposes that the following shall constitute an agreement between the two Governments in the new situation.

Within the limitations of liability for a single incident set by United States Public Law 85-256 (Annex A), as amended by 85-602 (Annex B) and 89-210 (Annex C), in any legal action or proceeding brought *in personam* against the operator of the *N.S. Savannah* in a Greek court, the United States Government will provide compensation by way of indemnity for any legal liability which a Greek court may find for any damage to people or goods deriving from a nuclear incident in connection with, arising out of or resulting from the operation, repair, maintenance or use of the *N.S. Savannah*, in which the *N.S. Savannah* may be involved within Greek territorial waters, or outside of them on a voyage to or from Greek ports if damage is caused in Greece

¹ Came into force on 12 January 1967 by the exchange of the said notes.

² United Nations, *Treaty Series*, vol. 459, p. 3.

or on ships of Greek registry. Within the limitations provided by such public laws, the operator of the ship in a proceeding *in personam* shall be subject to the jurisdiction of the Greek court and shall not invoke the provisions of Greek law or any other law relating to the limitation of the shipowner's liability, except national law or international treaty providing for limitation of the liability of the operator of a nuclear ship.

If the Greek Government agrees with the above proposal, the Embassy proposes that this note and the Ministry's affirmative reply shall constitute an agreement between the two Governments which shall enter into force on the date of the reply and remain in force unless terminated by either Government on ninety days written notice.

The Embassy of the United States of America avails itself of this occasion to renew to the Royal Ministry of Foreign Affairs the assurances of its highest consideration.

Embassy of the United States of America
Athens, November 22, 1966

II

MINISTÈRE ROYAL DES AFFAIRES ÉTRANGÈRES

No. G2131

NOTE VERBALE

The Royal Ministry for Foreign Affairs presents its compliments to the Embassy of the United States of America and with reference to the Note Verbale of the Embassy No. 128, dated November 22, 1966, concerning an agreement between the Government of the United States and the Government of Greece, with regard to the *N.S. Savannah* has the honour to confirm the Greek Government's approval of the text of the Agreement, as set forth in the said Note Verbale:

[See note I]

The Royal Ministry of Foreign Affairs agrees that the above text constitutes an agreement between the two Governments, which shall enter into force immediately and is intended to remain in force until one of the parties terminates it by giving the other party written notice ninety days in advance.

The Royal Ministry avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Athens, January 12, 1967

To the Embassy of the United States of America
Athens