

No. 6639

**UNITED STATES OF AMERICA
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement on the use of territorial waters and ports by the
N.S. Savannah. Signed at Washington, on 29 November 1962**

Official texts: English and German.

Registered by the United States of America on 18 April 1963.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord concernant l'utilisation des eaux territoriales et des
ports par le N.S. Savannah. Signé à Washington, le
29 novembre 1962**

Textes officiels anglais et allemand.

Enregistré par les États-Unis d'Amérique le 18 avril 1963.

No. 6639. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON THE USE OF TERRITORIAL WATERS AND PORTS BY THE N.S. SAVANNAH. SIGNED AT WASHINGTON, ON 29 NOVEMBER 1962

The Governments of the United States of America and the Federal Republic of Germany, having a mutual interest in the peaceful uses of atomic energy, including its application to the merchant marine, have agreed as follows :

Article I

ENTRY OF THE N.S. "SAVANNAH" INTO GERMAN TERRITORIAL WATERS AND PORTS

a. The Government of the Federal Republic of Germany (hereinafter referred to as the "Federal Government") is favorable in principle to the proposed visits of the N.S. *Savannah* (hereinafter designated as the "Ship") to German territorial waters and ports and in accordance with the terms and conditions of this Agreement welcomes the intention of the Government of the United States to bring the Ship into German territory.

b. Entry of the Ship into German territorial waters and ports and the use thereof shall be subject to the prior approval of the Federal Government. In German territorial waters and ports the Ship shall be subject to German law.

Article II

SAFETY ASSESSMENT

a. To enable the Federal Government to consider the grant of approval for entry and use of German territorial waters and ports by the Ship, the Government of the United States shall provide a Safety Assessment prepared in accordance with Regulation 7 of Chapter VIII of the Safety of Life at Sea Convention of 1960² and in accordance with Recommendation 9 of Annex C of that Convention.

¹ Came into force on 29 November 1962, upon signature, in accordance with article X.

² The following information is given by the Department of State of the United States of America (*Treaties and Other International Acts Series* 5223, p. 2, footnote 1) : "Done at London June 17, 1960. Ratified by the President of the United States of America May 11, 1962, but not in force at the time of this publication. For the text thereof, see S. Ex. Doc. D, 87th Cong., 2d sess."

b. As soon as practicable after receipt of the Safety Assessment, the Federal Government shall notify the Government of the United States if it approves the use of the territorial waters and designated ports of Germany by the Ship. This approval will be given only if the operator of the Ship's nuclear plant has applied through the Federal Government for a license under the Atomic Energy Act (of December 23, 1959, *Bundesgesetzblatt* I, p. 814) and the regulations issued thereunder and after this license either has become effective or has become provisionally executable.

c. The Federal Government will also notify the Government of the United States in due time of the competent authorities referred to in this Agreement.

Article III

REGULATIONS FOR APPROACHING, ENTERING AND UTILIZING THE GERMAN PORTS

a. The Ship shall approach the German Coast via routes to be approved by the Federal Government. The Master of the Ship shall give 36 hours' notice to the competent German authorities of his routes of approach and of his estimated time of arrival at the outer pilot station, and will proceed from the outer pilot station upon obtaining the approval of the competent German authorities.

b. In addition to the general regulations in force for the approaches to German ports the Ship shall be subject to special instructions by competent German authorities in regard to pilotage, identification and tug assistance.

c. Local governmental authorities are responsible, in accordance with relevant laws and regulations, in particular for fire and police protection, crowd control and the general preparation of the harbor with respect to acceptance of the Ship.

Article IV

INSPECTION

While the Ship is within German territorial waters and ports, competent German authorities shall have reasonable access to the Ship for normal inspection purposes, including access to its operating records and program data.

Article V

RADIOACTIVE WASTE

a. The Government of the United States agrees to take all necessary precautions to prevent the uncontrolled release of radioactive substances from the Ship during normal operating conditions. No radioactive substances will be discharged on the high seas under normal operating conditions except as stated in the Operating Manual.