

No. 7661

**UNITED STATES OF AMERICA
and
SPAIN**

**Exchange of notes (with annex) constituting an agreement
relating to the use of Spanish ports and territorial waters
by the N.S. *Savannah*. Madrid, 16 July 1964**

Official texts: English and Spanish.

Registered by the United States of America on 31 March 1965.

**ÉTATS-UNIS D'AMÉRIQUE
et
ESPAGNE**

**Échange de notes (avec annexe) constituant un accord relatif
à l'utilisation des eaux territoriales et des ports espa-
gnols par le N.S. *Savannah*. Madrid, 16 juillet 1964**

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 31 mars 1965.

No. 7661. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND SPAIN RELATING TO THE USE OF SPANISH PORTS AND TERRITORIAL WATERS BY THE N.S. SAVANNAH. MADRID, 16 JULY 1964

I

The American Ambassador to the Spanish Minister of Foreign Affairs

Madrid, July 16, 1964

No. 81

Excellency :

I have the honor to attach as an Annex² to this Note the text which has resulted from communications and discussions between representatives of our two Governments regarding the use of Spanish ports and territorial waters by the N.S. *Savannah*.

I have the honor to propose that if the provisions of the attached Annex are acceptable to your Government, this Note and its attached Annex and Your Excellency's reply concurring therein shall constitute an agreement between our two Governments, which shall enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

Robert F. WOODWARD

Enclosure :

Text of Agreement.²

His Excellency Fernando María Castiella y Maíz
Minister of Foreign Affairs
Madrid

¹ Came into force on 16 July 1964 by the exchange of the said notes.

² See p. 189 of this volume.

AGREEMENT BETWEEN THE GOVERNMENT OF SPAIN AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON THE USE OF SPANISH PORTS AND TERRITORIAL WATERS BY THE N.S. *SAVANNAH*

The Government of Spain and the Government of the United States of America (referred to herein as the United States), having a mutual interest in the peaceful use of atomic energy, including its application to the merchant marine, have agreed as follows :

Article I

ENTRY OF THE N.S. *Savannah* INTO PORTS OF SPAIN AND TERRITORIAL WATERS OF SPAIN

(a) Entry of the N.S. *Savannah* (referred to herein as the ship) into Spanish ports and territorial waters and the use thereof in connection with any visit of the vessel to a Spanish port, shall be subject to the prior approval of the Government of Spain.

(b) The visits of the ship to Spanish ports and territorial waters shall be guided by the principles and procedures set forth in Chapter VIII of the Safety of Life at Sea Convention as proposed by the 1960 London Conference¹ and in the recommendations applicable to nuclear ships contained in Annex C¹ to the final act of that Conference.

Article II

SAFETY ASSESSMENT

(a) To enable the Spanish Government to consider the grant of approval for entry and use of Spanish ports and territorial waters 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 1960 and in accordance with Recommendation 9 of Annex C mentioned above.

(b) The conduct of environmental surveys in Spanish ports and Spanish territorial waters will be the responsibility of the Spanish Government with assistance from the United States as mutually agreed.

(c) As soon as possible after receipt of the Safety Assessment, the Spanish Government shall notify the Government of the United States that the ship can be operated in the ports and territorial waters of Spain in accordance with this Agreement and the mutually-accepted Safety Assessment.

Article III

PORTS AND SPECIAL CONTROL

The Spanish Government shall determine the port or ports to be visited and will designate the authorities responsible for acceptance arrangements and for special control under Regulation 11 of Chapter VIII of the proposed Safety of Life at Sea Convention.

¹ The following information is provided by the Government of the United States of America : "Done at London June 17, 1960. Will enter into force May 26, 1965. For text see S. Ex. Doc. K, 87th Cong., 1st sess., pp. 370, 444."