

No. 7666

**UNITED STATES OF AMERICA
and
SWEDEN**

Exchange of notes (with enclosure) constituting an agreement relating to the use of Swedish ports and waters by the N.S. *Savannah*. Stockholm, 6 July 1964

Official text: English.

Registered by the United States of America on 6 April 1965.

**ÉTATS-UNIS D'AMÉRIQUE
et
SUÈDE**

Échange de notes (avec pièce jointe) constituant un accord relatif à l'utilisation des eaux territoriales et des ports suédois par le N.S. *Savannah*. Stockholm, 6 juillet 1964

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 6 avril 1965.

No. 7666. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND SWEDEN RELATING TO THE USE OF SWEDISH PORTS AND WATERS BY THE N.S. SAVANNAH. STOCKHOLM, 6 JULY 1964

I

The American Ambassador to the Swedish Minister of Foreign Affairs

Stockholm, July 6, 1964

No. 3

Excellency :

I have the honor to refer to conversations which have taken place between representatives of our two Governments concerning the visit to Sweden of the N.S. *Savannah* and to confirm the understandings reached as set forth in the enclosed agreement.

I further have the honor to propose that the present note and your note in reply concurring in the enclosed agreement shall constitute an agreement between our two Governments.

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

J. Graham PARSONS

His Excellency Torsten Nilsson
Minister of Foreign Affairs
The Royal Ministry for Foreign Affairs
Stockholm

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES
AND THE GOVERNMENT OF SWEDEN

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

¹ Came into force on 6 July 1964 by the exchange of the said notes.

Article I

For the purposes of this Agreement :

A. The term "operator" shall have the same meaning as defined in Section 1 (a) of the Swedish Act on compensation for damage caused by the operation of nuclear ships of 1963 (hereinafter referred to as the "Swedish Nuclear Ships Liability Act").

B. The term "nuclear incident" shall have the same meaning as defined in Section 11 (o) of the United States Atomic Energy Act and in Section 1 (a) (iii) of the Swedish Nuclear Ships Liability Act ; it being understood that the definition in the latter Act is no broader in scope than in the former.

C. "A nuclear incident involving the N.S. *Savannah*" means any nuclear incident in connection with, arising out of, or resulting from the operation, repair, maintenance or use of that ship.

D. The terms "persons indemnified" and "public liability" shall have the same meaning as defined in Section 11 (r) and (u) respectively, of the United States Atomic Energy Act. The term "public liability" shall be understood to include any legal liability of an operator of a nuclear ship and of the Swedish State which may arise under the Swedish Nuclear Ships Liability Act.

E. The term "reasonable costs of investigating and settling claims and defending suits for damage" includes any such costs as may be awarded by a competent Swedish court in an action for compensation for damage arising from a nuclear incident involving the N.S. *Savannah*.

F. References to the United States Government include the United States Maritime Administration.

Article II

A. Visits of the N.S. *Savannah* to Sweden shall be subject to the issuance by the Swedish Government of a license in accordance with the Swedish Atomic Energy Act of 1956.

B. The operation, repair, maintenance or use of the N.S. *Savannah* while in Swedish waters shall be subject to the conditions prescribed or measures required in the license referred to in paragraph A of this Article.

Article III

A. Considering the possibility that the N.S. *Savannah* on its visit or visits to Sweden may be operated for such purposes and under such circumstances, that in application of the provisions of the Swedish Act of 17th June, 1938, concerning foreign State-owned ships, the N.S. *Savannah* would be considered to be operated exclusively on governmental and non-commercial service, the United States Government undertakes that, in any legal action brought *in personam* against the United States Government as operator of the N.S. *Savannah* in a competent Swedish Court exercising jurisdiction on account of a