

No. 8346

**UNITED STATES OF AMERICA
and
ITALY**

**Exchange of notes constituting an agreement concerning
liability during private operation of N.S. *Savannah*.
Rome, 16 December 1965**

Official texts : English and Italian.

Registered by the United States of America on 29 September 1966.

**ÉTATS-UNIS D'AMÉRIQUE
et
ITALIE**

**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. Rome, 16 décembre
1965**

Textes officiels anglais et italien.

Enregistré par les États-Unis d'Amérique le 29 septembre 1966.

No. 8346. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND ITALY CONCERNING LIABILITY DURING PRIVATE OPERATION OF N.S. *SAVANNAH*. ROME, 16 DECEMBER 1965

I

The American Embassy to the Italian Ministry of Foreign Affairs

NOTE VERBALE

No. 551

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Italy and has the honor to refer to the Agreement of November 23, 1964² concerning visits of the N. S. *Savannah* to Italy 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 November 23, 1964 to the new situation, the Embassy proposes that the following shall constitute the agreement between the two Governments in the new situation.

Within the limitation of liability set by United States Public Law 85-256 (Annex A),³ as amended by 85-602 (Annex B)⁴ in any legal action or proceeding brought *in personam* against the operator to the N.S. *Savannah* in an Italian court, the United States Government will provide compensation by way of indemnity for any legal liability which an Italian 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 Italian territorial waters, or outside of them on a voyage to or from Italian ports if damage is caused in Italy or on ships of Italian registry. Within the \$500 million limitation in such public laws, the operator of the ship shall be subject to the jurisdiction

¹ Came into force on 16 December 1965 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 532, p. 133.

³ United Nations, *Treaty Series*, Vol. 532, p. 144.

⁴ United Nations, *Treaty Series*, Vol. 532, p. 154.