

No. 9900

**UNITED STATES OF AMERICA
and
YUGOSLAVIA**

Exchange of notes constituting an agreement regarding liability during private operation of N.S. *Savannah* (with enclosure). Belgrade, 23 January and 24 April 1967

Authentic text of the notes: English.

Authentic texts of the enclosure: English and Serbo-Croat.

Registered by the United States of America on 1 October 1969.

**ÉTATS-UNIS D'AMÉRIQUE
et
YUGOSLAVIE**

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 (avec pièce jointe). Belgrade, 23 janvier et 24 avril 1967

Texte authentique des notes: anglais.

Textes authentiques de la pièce jointe: anglais et serbo-croate.

Enregistré par les États-Unis d'Amérique le 1^{er} octobre 1969.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
YUGOSLAVIA REGARDING LIABILITY DURING PRIVATE
OPERATION OF N.S. SAVANNAH

I

*The American Ambassador to the Yugoslav State Secretary
for Foreign Affairs*

No. 458

The Ambassador of the United States of America presents his compliments to the State Secretary for Foreign Affairs of the Socialist Federal Republic of Yugoslavia and has the honor to communicate the following:

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 Yugoslav court, the United States Government shall provide compensation by way of indemnity for any legal liability which a Yugoslav court may find for any damage 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 Yugoslav territorial waters, or outside of them on her voyage to or from Yugoslav ports on her regular maritime route between the United States and Yugoslavia if damage is caused in Yugoslavia or on ships of Yugoslav registry. The aggregate liability of the United States Government arising out of a single nuclear incident involving the N.S. *Savannah*, regardless where damage may be suffered, shall not exceed \$500 million. Within the limitations provided by the US Public Laws cited above, the operator of the ship in a proceeding in personam shall be subject to the jurisdiction of the Yugoslav court and shall not invoke the provisions of Yugoslav law or any other law relating to the limitation of shipowner's liability, except national law or international treaty to which both countries are parties providing for limitation of liability of the operator of a nuclear ship, if such national law or international treaty is held applicable by Yugoslav courts.

The Ambassador of the United States of America requests that on the basis of the guarantee above, authorization be granted for the N.S. *Savannah* to

¹ Came into force on 24 April 1967 by the exchange of the said notes.

enter the Port of Rijeka, it being understood that the guarantee and authorization may be terminated on sixty days written notice given by either Government to the other.

Embassy of the United States of America
Belgrade, January 23, 1967

II

The Yugoslav Secretariat of State for Foreign Affairs to the American Embassy

No. 411131

The Secretariat of State for Foreign Affairs of the Socialist Federal Republic of Yugoslavia presents its compliments to the Embassy of the United States of America and, in connection with the guarantee given in the Embassy's Note No. 458 of 23 January 1967, it has the honour to forward to the Embassy, attached to this Note, a certified copy of the permission for the opening of a regular maritime route between the United States and Rijeka by the N.S. *Savannah*. The permission has been issued by the Federal Secretariat for Transport and Communications.

Beograd, 24 April 1967

[SEAL]

Embassy of the United States of America
Beograd