

in the subject bills of absolute liability and unlimited liability for certain discharges of oil. The Embassy of the Netherlands has asked that these views be conveyed to your Committee.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

DEPARTMENT OF STATE,
Washington, D.C., April 23, 1968.

HON. GEORGE H. FALLON,
*Chairman, Committee on Public Works,
House of Representatives,
Washington, D.C.*

DEAR MR. CHAIRMAN: Enclosed for the information of your Committee are copies of comments on H.R. 15906 and S. 2760 received by the Department of State from the Embassies of Denmark, Norway and Sweden. The British Embassy also made similar comments orally under instructions from the United Kingdom Government. All of the four Governments draw attention to the consideration of liability for oil pollution now taking place internationally in the Intergovernmental Maritime Consultative Organization and three of them comment on the concepts included in the subject bills of absolute liability and unlimited liability for certain discharges of oil.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

DANISH EMBASSY, *Washington, D.C., April 22, 1968.*

The Danish Embassy is instructed to express to the United States Government the following points of view concerning the pending U.S. bills HR 15906 and S 2760, known as "Oil and Hazardous Substance Pollution Control Act of 1968".

(1) The effect of the bills would be to impose on shipowners an absolute liability for the total cost of cleaning up pollution caused by spillage of oil from their vessels. In the opinion of the Danish Government such a provision, without possibilities for taking into account special circumstances in the incidents of spillage, would be unusual, if not unparalleled, and would place on shipowners a burden that could be unjustified.

(2) Further the Danish Government finds it particularly unfortunate that the United States Government should be contemplating this step at a time when the whole question of the liability of shipowners for oil pollution is under international consideration and study in IMCO and in CMI. Also, at the meeting of IMCO in November its legal committee endorsed the view that accidents of the same character and their consequences should be governed by the same principles and rules, irrespective of whether they take place on the high seas or in territorial waters. In view of this it is difficult to reconcile this opinion, which the U.S. Delegation presumably shared, with an action that would anticipate the outcome of the IMCO study.

(3) Finally, the Danish Government emphasizing its general opinion that unilateral legislation by any one government on matters of international concern can only cause serious interruption of international shipping practices wishes to submit that the pending U.S. legislation be postponed until the studies presently considered by the above-mentioned international organizations have been concluded and the possibilities for reaching an international agreement have been fully explored.

ROYAL NORWEGIAN EMBASSY,
Washington, D.C., April 22, 1968.

Some of the provisions of H.R. 15906 and S. 2760 have created some concern to the Norwegian Government, especially the provisions concerning the civil liability of shipowners.

It is the understanding of the Norwegian Government that the above-mentioned bills are aiming at imposing on shipowners an absolute liability (with exception only in cases connected with "Acts of God") to the total cost of cleaning up pollution caused by spillage of oil from vessels. This unlimited liability will impose on shipowners a burden that could be considerable.