

No. 1104

**UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND
and
CZECHOSLOVAKIA**

**Agreement for the mutual upkeep of war graves. Signed at
Prague, on 3 March 1949**

Official texts: English and Czech.

*Registered by the United Kingdom of Great Britain and Northern Ireland on 20 March
1951.*

**ROYAUME-UNI DE GRANDE-BRETAGNE ET
D'IRLANDE DU NORD
et
TCHÉCOSLOVAQUIE**

**Accord relatif à l'entretien réciproque des sépultures mili-
taires. Signé à Prague, le 3 mars 1949**

Textes officiels anglais et tchèque.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 20 mars 1951.

No. 1104. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC FOR THE MUTUAL UPKEEP OF WAR GRAVES. SIGNED AT PRAGUE, ON 3 MARCH 1949

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Czechoslovak Republic, recognising the need for suitable arrangements to be made for the provision and permanent maintenance of graves for members of the armed forces of the British Commonwealth and of the Czechoslovak Republic who laid down their lives in the common fight against the enemy in the Second World War, have decided to conclude the present Agreement.

Article 1

(a) The Government of the Czechoslovak Republic recognises the Imperial War Graves Commission as the sole organisation charged with the care and maintenance of British Commonwealth war graves in whatever part of the world they may be situated.

(b) The Government of the Czechoslovak Republic recognises that the Imperial War Graves Commission is appointed by the Government of the United Kingdom to fulfil the latter's obligations towards Czechoslovak war graves under the present Agreement.

(c) The Government of the United Kingdom recognise that the carrying out of the present Agreement in the territory of the Czechoslovak Republic is entrusted to the Czechoslovak Ministry of National Defence.

Article 2

The Government of the Czechoslovak Republic undertakes—

(a) That it will at its expense construct and maintain the British War Cemetery in Prague-Olšany, where it will place the bodies of all the members of the armed forces of the British Commonwealth who fell or died between 3rd September, 1939, and 31st December, 1947, within the territory of the Czechoslovak Republic and are buried there;

¹ Came into force on 3 March 1949, as from the date of signature, in accordance with article 6.

- (b) That in constructing the cemetery it will observe the principles, plans and specifications to be supplied by the Imperial War Graves Commission;
- (c) That it will not permit any exhumation of the bodies of any persons mentioned under (a) for reasons of repatriation, and that in all other cases of exhumation it will seek previous consent on the part of the Imperial War Graves Commission.

Article 3

The Government of the United Kingdom undertake—

(a) To mark and maintain at their expense the war graves of Czechoslovak nationals who between 3rd September, 1939, and 31st December, 1947, fell or died either as Czechoslovak members of the British Commonwealth armed forces or as members of the Czechoslovak forces and who are buried in the United Kingdom or elsewhere within a cemetery under the care of the Imperial War Graves Commission;

(b) To erect a headstone on the grave of each person mentioned under (a), the design of such stones to be agreed between the Government of the Czechoslovak Republic and the Imperial War Graves Commission and to be in harmony in size, shape and colour with the Commission's headstones erected over British graves in the same cemetery;

(c) To make representations to the Governments of France and Belgium with a view to obtaining their consent to the provisional maintenance, at the expense of the Government of the United Kingdom, of the war graves, in so far as these graves are situated within French or Belgian territory, of Czechoslovak nationals who fell or died as members of the Czechoslovak armed forces in the area around Dunkirk during the fighting of 1944-45;

(d) To continue the provisional maintenance provided for in paragraph (c) of this Article until such time as, with the consent of the Governments of France and Belgium and at the expense of the Czechoslovak Government, such graves be removed to the Czechoslovak War Cemetery at Arras in France. Such removal shall take place as soon as possible after the receipt of the French and Belgian Governments' consent;

(e) At their own expense to erect a central memorial in the Czechoslovak section of the war cemetery at Brookwood, near London, in accordance with the principles, plans and specifications to be supplied by the Czechoslovak Ministry of National Defence: subject to the Imperial War Graves Commission being satisfied that the design of such memorial is not out of harmony or proportion with the constructional features of this cemetery for which the Commission is responsible;

(f) That they will not permit any exhumation of the bodies of any persons under (a) for reasons of repatriation, and that in all other cases of exhumation they will seek previous consent on the part of the Czechoslovak Ministry of National Defence.

Article 4

(a) Both parties to the Agreement undertake that they will keep exact records of the graves which they have undertaken to maintain, and that they will, when requested to do so, furnish each other with all necessary information relative to war graves.

(b) Both parties to the Agreement guarantee to each other the right to supervise by means of their diplomatic and/or consular agencies, and in the case of the Government of the United Kingdom by means of the members and staff of the Imperial War Graves Commission, the erection and maintenance of war graves in the territory of the other party to the Agreement, and agree that either party may draw the attention of the other to any shortcomings and may require them to be remedied at the expense of the party responsible for the upkeep of the graves.

Article 5

Both parties to the Agreement agree to the erection at the British War Cemetery at Prague-Olšany and at the Czechoslovak War Section of Brookwood Cemetery respectively of commemorative plaques to be set up by the Government of the United Kingdom and the Czechoslovak Government respectively. Both parties agree to give facilities for the flags of the other party to be flown, on memorial days to be determined by them, at their respective cemeteries and to place at each other's disposal the flags required for the purpose.

Article 6

The present Agreement has been drawn up in the English and Czech languages, either version to be equally authoritative, and it shall enter into force on the date of signature.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

DONE in Prague in duplicate on the third day of March, 1949.

V. CLEMENTIS
[L.S.]

PIERSON DIXON
[L.S.]