

No. 2531. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF DENMARK AND THE GOVERNMENTS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AUSTRALIA, CANADA, INDIA, NEW ZEALAND, PAKISTAN AND THE UNION OF SOUTH AFRICA REGARDING THE WAR GRAVES AND MEMORIALS OF THE BRITISH COMMONWEALTH IN DANISH TERRITORY. SIGNED AT COPENHAGEN, ON 22 FEBRUARY 1954

The Government of Denmark of the one part, and the Governments of the United Kingdom of Great Britain and Northern Ireland, Australia, Canada, India, New Zealand, Pakistan and the Union of South Africa (hereinafter referred to as "the Commonwealth countries") of the other part,

ANIMATED BY A COMMON DESIRE that the graves in Danish territory of Members of the Armed Forces of the Commonwealth countries who have fallen in the Wars of 1914—18 and 1939—45 (hereinafter referred to as "the Commonwealth War Graves") should be protected from risk of disturbance and assured of respect and care in accordance with the Danish law prevailing at any time,

HAVE CONCLUDED THE FOLLOWING AGREEMENT :

Article 1

The Imperial War Graves Commission, incorporated by Royal Charter of the 21st May 1917 (hereinafter referred to as "the Commission") is recognised by the Government of Denmark as the sole permanent official authority entrusted on behalf of the Governments of the Commonwealth countries with the care of the Commonwealth War Graves. The Government of Denmark recognises the right of the Commission to act in Denmark as an Association possessing the civil rights of an individual in all that concerns the Commonwealth War Graves.

Article 2

The Government of Denmark undertakes to invite the competent local authorities to grant to the Commission the use of the land occupied by Commonwealth War Graves for a period of sixty years, which may be renewed thereafter. The Government of Denmark will express to these authorities the hope that such grants shall be free of cost to the Commission.

¹ Came into force on 24 March 1954, thirty days after the date of signature, in accordance with article 5.

Article 3

Exhumation of bodies from the Commonwealth War Graves, unless undertaken or authorised by the Commission and the Danish Government, shall not be permitted. The Government of Denmark undertakes to invite the competent local authorities to refuse all applications for permission for the exhumation of any of these bodies or for their removal unless the applications have first been referred to and agreed by the Commission.

Article 4

The Commission shall appoint to represent them in Denmark a Joint Committee consisting of two Danish members and two Commonwealth members. The former shall be designated by the Government of Denmark.

The functions of this Committee shall be to act when necessary as an official channel between the Danish authorities and the Commission on matters concerning the Commonwealth War Graves or relating to the responsibilities and functions of the Commission in Denmark, generally, as well as to advise and assist the Commission in its task in Denmark.

Article 5

This Agreement shall come into force thirty days after the date of signature.

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

DONE at Copenhagen on the 22th day of February, 1954, in Danish and in English, both texts being equally authentic, in a single copy which shall be deposited with the Government of Denmark and of which certified copies shall be furnished to the other Governments parties to this Agreement.

[TRADUCTION — TRANSLATION]

N° 2531. ACCORD¹ ENTRE LE GOUVERNEMENT DU ROYAUME DE DANEMARK ET LES GOUVERNEMENTS DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD, DE L'AUSTRALIE, DU CANADA, DE L'INDE, DE LA NOUVELLE-ZÉLANDE, DU PAKISTAN ET DE L'UNION SUD-AFRICAINE RELATIF AUX SÉPULTURES MILITAIRES ET AUX MONUMENTS COMMEMORATIFS DU COMMONWEALTH BRITANNIQUE SE TROUVANT EN TERRITOIRE DANOIS. SIGNÉ À COPENHAGUE, LE 22 FÉVRIER 1954

Le Gouvernement du Danemark, d'une part, et les Gouvernements du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, de l'Australie, du Canada, de l'Inde, de la Nouvelle-Zélande, du Pakistan et de l'Union Sud-Africaine (ci-après dénommés « les pays du Commonwealth »), d'autre part,

ANIMÉS DU DÉSIR COMMUN de faire en sorte que les tombes où sont enterrés au Danemark les membres des forces armées des pays du Commonwealth morts pendant la guerre de 1914-1918 et celle de 1939-1945 (ci-après dénommées « les sépultures militaires du Commonwealth ») soient protégées contre toutes atteintes éventuelles et entourées du respect et des soins voulus conformément à la législation danoise en vigueur,

ONT CONCLU L'ACCORD CI-APRÈS :

Article premier

Le Gouvernement danois reconnaît dans la Commission impériale des sépultures militaires (ci-après dénommée « la Commission ») qui a été constituée par la Charte royale du 21 mai 1917, le seul organisme officiel permanent chargé de veiller, au nom des Gouvernements des pays du Commonwealth, sur les sépultures militaires du Commonwealth. Le Gouvernement danois reconnaît à la Commission le droit d'agir au Danemark en qualité de personne juridique pour tout ce qui concerne les sépultures militaires du Commonwealth.

Article 2

Le Gouvernement danois s'engage à prier les autorités locales compétentes d'accorder à la Commission le droit d'utiliser pendant une période de soixante

¹ Entré en vigueur trente jours après la date de la signature, le 24 mars 1954, conformément à l'article 5.

Pour le Gouvernement du Canada :

E. D'ARCY MCGREER [L.S]

Pour le Gouvernement de l'Inde :

A.C.N. NAMBIAR [L.S]

Pour le Gouvernement de la Nouvelle-Zélande :

Eric BERTHOUD [L.S]

Pour le Gouvernement du Pakistan :

S. M. BURKE [L.S]

Pour le Gouvernement de l'Union Sud-Africaine :

Eric BERTHOUD [L.S]