

No. 3888

**UNITED STATES OF AMERICA
and
FRANCE**

Agreement (with annex) regarding the transport, burial and embalming of bodies of members of the United States Forces dying in France. Signed at Paris, on 1 July 1955

Official texts: English and French.

Registered by the United States of America on 19 June 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
FRANCE**

Accord (avec annexe) relatif au transport, à l'inhumation et à l'embaumement des corps des membres des forces des États-Unis décédés en France. Signé à Paris, le 1^{er} juillet 1955

Textes officiels anglais et français.

Enregistré par les États-Unis d'Amérique le 19 juin 1957.

No. 3888. AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC REGARDING THE TRANSPORT, BURIAL AND EMBALMING OF BODIES OF MEMBERS OF THE UNITED STATES FORCES DYING IN FRANCE. SIGNED AT PARIS, ON 1 JULY 1955

The Government of the United States of America and the Government of the French Republic desiring to regulate certain problems regarding the transport, burial and embalming of bodies of members of the United States Forces dying in France, have agreed to the following :

Article 1

The provisions of this agreement are applicable in the case of death in French Metropolitan Territory of a member of the United States Forces or of the civilian component or of a dependent, such as they are defined by the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, signed at London on June 19, 1951.²

Article 2

In case of death of a person coming under the categories mentioned in Article 1, the duly authorized doctor certifies the death and prepares a certificate, a sample of which is given as annex³ to this agreement. A duplicate of this certificate, drawn up in French and containing all the details concerning the civil status of the deceased, is immediately sent to the mayor of the town where the death occurred.

Article 3

When the French judicial authority prescribes an autopsy of the deceased, this autopsy is conducted jointly by a French doctor designated by the judicial authority and an American military doctor designated by the American command and at the time and place fixed by the judicial authority.

Article 4

Subject to the provisions of Article 3, the body of the deceased is taken without delay to the nearest medical center of the United States Forces by the service designated by the competent American military authorities.

¹ Came into force on 1 July 1955, the date of signature, in accordance with article 11.

² United Nations, *Treaty Series*, Vol. 199, p. 67; Vol. 200, p. 340, and Vol. 260, p. 452.

³ See p. 26 of this volume.

The body is transported under the exclusive care of convoy personnel designated by the competent American military authorities. Whenever requested by the police or gendarme authorities, such conveying personnel must present personal identity cards bearing their photographs and a copy of the death certificate.

Transport in a hermetically-sealed coffin is obligatory in case of death resulting from one of the following sickness :

- a) smallpox, cholera, carbuncle;
- b) typhoparatyphoidic infections, dysentery.

Article 5

The competent services of the United States Forces may carry out operations for the preservation of bodies by embalming or by any other means complying only with the regulations applicable to the United States Armed Forces.

However, when burial is to take place in France, the use of arsenic and mercury in the embalming process is prohibited. Moreover, two samples of the materials used in these operations are taken and placed under seal by the competent services of the United States Forces : one of the samples is retained by these services, the other, which must weigh at least 125 grams, is sent to the Prefecture, together with a note giving the name and address of the person embalmed, the name of the service and persons responsible for the embalming, as well as the place and date of embalming.

Article 6

The Government of the United States of America may establish and maintain in France permanent or temporary cemeteries in locations previously approved by the French Government. It may also repatriate the remains to the United States or to other countries. Subject to the provisions of Article 2, this is not subject to the laws and regulations applicable in the matter of permits for burial, exhumation and transfer of remains.

Article 7

The Government of the United States of America agrees to have the operations provided for in this agreement performed in such a manner that they may not constitute a danger to public health and to have all necessary sanitary measures taken to this end.

Article 8

The Government of the United States of America agrees to furnish to the French authorities, at their request, all information concerning the operations

of transport, embalming, and burial or exhumation in or out of France, regarding the persons coming in the categories mentioned in Article 1 who have died in France. It furthermore agrees to furnish any other information which might be requested by the French authorities in behalf of the families.

Article 9

The Contracting Parties agree to render assistance to each other in the conduct of judicial investigations resulting from the death of a person coming under the categories mentioned in Article 1.

Article 10

No provision of this agreement exempts compliance with the requirements of the French Civil Code on civil status.

Article 11

This agreement will go into effect on the date of signature.

DONE at Paris, in duplicate, in English and in French, both texts being equally valid, July 1, 1955.

Douglas DILLON

[SEAL]

R. MASSIGLI

[SEAL]

ANNEX

DEATH CERTIFICATE

The undersigned doctor :

Name
 Grade
 Function
 Address

Certifies that :

Last Name
 First and middle names
 Grade or functions
 Serial number
 Born on (date)
 at (place)
 Son of (father's name)
 and of (mother's name)

¹⁾ Spouse

Son
 Daughter of Name
 Grade or functions
 Address
 Died on (date)
 at (place)

Cause of death

Certified correct :

Signature of Doctor

SEAL :

⁽¹⁾ For dependents.

