

No. 4711

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND, CANADA, AUSTRALIA,
NEW ZEALAND, UNION OF SOUTH AFRICA,
INDIA and PAKISTAN
and
FEDERAL REPUBLIC OF GERMANY
and
FRANCE**

**Agreement in regard to war cemeteries, graves and
memorials of the British Commonwealth. Signed at
Bonn, on 5 March 1956**

Official texts: English, French and German.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
13 March 1959.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD, CANADA, AUSTRALIE,
NOUVELLE-ZÉLANDE, UNION SUD-AFRICAINE,
INDE et PAKISTAN
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
FRANCE**

**Accord concernant les cimetières, sépultures et monuments
de guerre du Commonwealth britannique. Signé à
Bonn, le 5 mars 1956**

Textes officiels anglais, français et allemand.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
13 mars 1959.*

No. 4711. AGREEMENT¹ BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, CANADA, AUSTRALIA, NEW ZEALAND, THE UNION OF SOUTH AFRICA, INDIA AND PAKISTAN, THE FEDERAL REPUBLIC OF GERMANY AND THE FRENCH REPUBLIC IN REGARD TO WAR CEMETERIES, GRAVES AND MEMORIALS OF THE BRITISH COMMONWEALTH SIGNED AT BONN, ON 5 MARCH 1956

The United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand, the Union of South Africa, India and Pakistan (hereinafter referred to as the "Commonwealth Countries") of the first part, the Federal Republic of Germany of the second part, and the French Republic of the third part,

Desiring to maintain with modifications the arrangements provided in the Agreement signed at Berlin on the 20th day of December, 1935, between the Governments of the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand, the Union of South Africa and India, the German Government and the Government of the French Republic in regard to War Graves (hereinafter referred to as "the Agreement of 1935");²

Desiring that arrangements may be completed concerning the Cemeteries, Graves and Memorials of members of the Armed Forces of the Commonwealth Countries fallen as a result of the Wars of 1914-18 and 1939-45 and interred in the Territory of the Federal Republic of Germany; and

Desiring to make provision in regard to questions affecting German War Graves situated in War Cemeteries in France in the permanent care on behalf of the Commonwealth Countries of the Imperial War Graves Commission (hereinafter referred to as "the Commission"),

Have agreed as follows :

Article 1

In the present Agreement the expression "Commonwealth War Cemeteries, Graves and Memorials" shall include those relating to the War of 1914-18 and those relating to the War of 1939-45.

¹ Came into force on 12 June 1957, in accordance with the provisions of article 5.

² League of Nations, *Treaty Series*, Vol. CLXVII, p. 141.

Article 2

Subject to the provisions of the present Agreement the future arrangements for the permanent care by the Commission, of Commonwealth War Cemeteries, Graves and Memorials in the Territory of the Federal Republic of Germany, shall be as stated in an Agreement entered into concurrently with the present Agreement between the Commonwealth Countries of the one part and the Federal Republic of Germany of the other part (hereinafter referred to as "the new Agreement").

Article 3

- (1) The new Agreement shall include provisions to the effect—
- (a) that in place of the Mixed Committee appointed by the Commission pursuant to the provisions of the Agreement of 1935 the Commission shall appoint a Joint Committee to represent the Commission in the Territory of the Federal Republic of Germany in its relations with the appropriate authorities;
 - (b) that the Committee referred to in this Article of the present Agreement shall be composed of representatives of the Commonwealth Countries and of the Federal Republic of Germany, but that, to facilitate the examination and solution of questions affecting German War Graves situated in Commonwealth War Cemeteries in France, two representatives appointed by the Commission on the recommendation of the French Government shall be invited to participate in proceedings of the Committee concerning the War Graves in question;
 - (c) that the two representatives of the French Government referred to in this Article of the present Agreement shall consist of one honorary member and one official member of the Committee.

(2) The recommendations of the French Government as to the appointment of the representatives referred to in this Article of the present Agreement shall be requested and transmitted through the diplomatic channel.

Article 4

This Agreement shall also apply in *Land* Berlin unless the Government of the Federal Republic of Germany shall make a declaration¹ to the contrary to each of the other Contracting Parties within three months after the entry into force of the present Agreement.

Article 5

As soon as the Agreement has received in the Federal Republic of Germany the assent required under the Constitution, the date of its entry into force shall

¹ According to the information provided by the United Kingdom of Great Britain and Northern Ireland the Government of the Federal Republic of Germany made no such declaration.

be fixed by an exchange of Notes between the Government of the Federal Republic of Germany and the Governments of the other Contracting Parties.

IN WITNESS WHEREOF the undersigned duly authorized in that behalf have signed the present Agreement and affixed thereto their seals.

DONE at Bonn this fifth day of March, 1956, in three texts in English, German and French, all three texts being equally authoritative, in a single copy which shall be deposited in the archives of the Government of the Federal Republic of Germany and of which certified copies shall be transmitted by that Government to each of the other Contracting Parties.