

The Belgian Government recognises the right of the Commission to act in Belgian territory as an Association possessing the civil rights of an individual in all that concerns the Commonwealth War Cemeteries, Graves and Memorials.

ARTICLE 3

The Belgian Government grants to the Commission free of cost and in perpetuity the free use of the lands situated in Belgian territory, chosen and utilised either as permanent Commonwealth 1939-45 War Cemeteries or for the construction of monuments to commemorate members of the Armed Forces of the Commonwealth countries fallen in the War of 1939-45. Nevertheless the said lands shall remain the property of the Belgian State.

The Belgian Government undertakes to invite the communal authorities to grant free of cost the necessary ground in their Cemeteries.

The Belgian Government further confirms in regard to the Commonwealth 1914-18 War Cemeteries, Graves and Memorials, the grant of the free and perpetual use of the lands occupied by the same in virtue of the Anglo-Franco-Belgian Agreement of the 9th August 1917 and the provisions of the Agreement of 1919.

ARTICLE 4

The Commission shall be at liberty to transfer into Commonwealth War Cemeteries such Commonwealth War Graves lying outside those Cemeteries as it may deem necessary whether on account of the isolated position of any such Graves or for any other reason.

The Belgian Government will arrange for the competent Belgian authorities to grant the necessary permits for the exhumation and transport of the bodies to be so transferred.

If, in order to group together any such Graves as are referred to in paragraph (1) of this Article, the Commission shall recognise as necessary the creation of new Cemeteries, it shall submit its proposals to the Belgian Government, who will favourably consider whether steps can be taken for the acquisition of the land for the purpose in accordance with the provisions of Article 3.

ARTICLE 5

As regards the Commonwealth 1939-45 War Cemeteries, the Belgian Government recognises the right of the Commission at its own cost to ensure and provide for the lay-out, construction maintenance and control of the same.

The Commission is accordingly authorised to enclose the Cemeteries referred to in paragraph (1) of this Article, to lay them out and construct them on a system approved by the Commission to erect in them sepulchral monuments or other structures, to make plantations in them, to enact regulations governing visits to them, and to select persons to take charge of them. Such persons may be nationals of the Commonwealth countries.

Questions relative to the lay-out of Commonwealth 1939-45 War Graves situated in Communal Cemeteries shall be decided by the Commission and the Communal authorities with the assistance of the competent Minister or central authority concerned.

The Commission is further authorised to provide for the lay-out of Commonwealth 1939-45 War Graves situated in Cemeteries belonging to the State or Communes which, in addition to such Graves, contain also Belgian or allied military Graves. When the Commission considers it desirable that a common system of lay-out should be adopted for a mixed Cemetery, it shall submit its proposals to the competent Belgian authority, who shall decide the matter.