

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, CANADA, AUSTRALIA, NEW ZEALAND, THE UNION OF SOUTH AFRICA, INDIA AND PAKISTAN, AND THE GOVERNMENT OF THE FRENCH REPUBLIC REGARDING BRITISH COMMONWEALTH WAR GRAVES IN FRENCH TERRITORY

The Government of the French Republic of the one part and the Governments of 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 other part, being resolved to maintain the principles of an Agreement signed in Paris on 26th November 1918, and entitled "Agreement between His Britannic Majesty's Government and the Government of the French Republic relative to the Graves of British Soldiers in France," and to extend those principles to the cemeteries, graves and memorials of members of the Armed Forces of the Commonwealth countries who fell in the War of 1939-45 and whose remains rest in French territory, have agreed as follows:—

Part I.—Permanent Cemeteries and Memorials

ARTICLE 1

The French Government recognises the Imperial War Graves Commission (hereinafter referred to as "the Commission"), which was incorporated by Royal Charter dated 21st May, 1917, as the sole organisation entrusted on behalf of the Governments of the Commonwealth countries parties hereto with all measures concerned with the construction, laying out and maintenance of the Commonwealth War Cemeteries, Graves and Memorials. Consequently, the Commission shall have the right to act in French territory as a properly constituted association and to settle with the French authorities all questions concerning War Cemeteries, Graves and Memorials of the Commonwealth.

ARTICLE 2

The French Government grants to the Commission, without payment and without time-limit, the free use of the land in French territory selected and used either as permanent war cemeteries for the burial of members of the Armed Forces of the Commonwealth countries who fell in the Wars of 1914-18 or 1939-45, or for the construction of memorials in their honour. Nevertheless, as laid down in the law of 14th October, 1946, this land shall remain the property of the French State.

ARTICLE 3

The sites of cemeteries and memorials shall be subject to the prior approval of the French Government.

ARTICLE 4

The free use of the land, mentioned in Article 2 above, confers on the Commission the right to make all arrangements considered necessary for the laying out and treatment of permanent cemeteries and to construct memorials and any buildings and means of access which may be required. The Commission shall be the only authority entitled to engage in such operations and any request in this respect which may be addressed directly to the French Government must be submitted to the Commission for its decision. The Commission