### **AGREEMENT**

REGARDING

## BRITISH WAR CEMETERIES AND GRAVES IN EGYPT

WITH

### EXCHANGE OF NOTES RELATING THERETO

BETWEEN

MAJESTY'S GOVERNMENTS IN THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF AUSTRALIA, NEW ZEALAND AND THE UNION OF SOUTH AFRICA AND THE GOVERNMENT OF INDIA

AND

### THE EGYPTIAN GOVERNMENT

Signed at Cairo, June 2nd, 1937

IN FORCE NOVEMBER 29th, 1937



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OTTAWA

J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

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THE EGYPTIAN GOVERNMENT

Signed at Cairo, June 2nd, 1937

IN FORCE NOVEMBER 20th, 1937



OTTAWA

J. O. PATENAUDE 1.SO.

PRINTER TO THE MING'S MOST EXCELLENT MAJESTY

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AGREEMENT REGARDING BRITISH WAR CEMETERIES AND GRAVES IN EGYPT BETWEEN HIS MAJESTY'S GOVERNMENTS IN THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF AUS-TRALIA, NEW ZEALAND AND THE UNION OF SOUTH AFRICA AND THE GOVERNMENT OF INDIA AND THE EGYPTIAN COVERNMENT

the Egyptian Covernment hereby agrees that the British War Metor:

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THE Government of Egypt on the one hand, and the Governments of the United Kingdom of Great Britain and Northern Ireland, Canada, the Common-Wealth of Australia, New Zealand, the Union of South Africa and India on the other hand, being desirous of placing on a firm and established basis the care of the graves of the British soldiers who fell in the late war and were buried in Properties of the British soldiers who tell in the late was understood as follows: plantations in there, to designate from time to time the custodians of PC in take charge of them and, subject to the approval of the Minister of the figure

to enact regulations governing visI alorrand the policing of the same, and prosecute those who indistrement The Imperial War Graves Commission (hereinafter referred to as "The Commission ") incorporated by Royal Charter granted by His Majesty The Ring Positish Dominions beyond the Seas, King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India (hereinafter referred to as "His Majesty The King and puperor of India (hereinafter referred to as "His Majesty Inc. 2000) on the 21st day of May, 1917, is recognized by the Egyptian (1900) on the 21st day of May, 1917, is recognized by the Egyptian War Government as the sole authority charged with the care of the British War Memorial Cemeteries and War Graves in Egypt.

Accordingly, the Commission shall alone be qualified to act in this matter, Particularly in all that concerns the execution of that part of the agreement contained in the note of the 27th October, 1918, addressed by le Comité des Thances to, and approved by the Egyptian Council of Ministers on the the note of the light of the li British War Memorial Cemeteries to the Commission by the Egyptian Governwent, and subsequently confirmed by a formal Deed of Gift dated the 9th May, and subsequently confirmed by a formal Deed of the Mixed Tribunals of 1921, and subsequently confirmed by a formal Deed of Gitt dated the Cairo and registered in the Bureaux des Hypothèques of the Mixed Tribunals of the Cairo and registered in the Bureaux des Hypothèques of the Mixed Tribunals of the Lorentz and the 27th June, 1921. Cairo and registered in the Bureaux des Hypothèques of the Mixed 1115dans and registered in the Bureaux des Hypothèques of the Mixed 1115dans and Alexandria on the 9th May, 1921, and the 27th June, 1921.

Hypothèques of Mansourrah on the and Alexandria on the 9th May, 1921, and the 27th day, 29th July, and in the Bureaux des Hypothèques of Mansourrah on the th July, 1921.

To see and the control of the contro Notwithstanding anything contained in the aforesaid Deed of Gift or its Notwithstanding anything contained in the aforesaid Deed of Children Coverns as to the nature of the Commission's Committee in Egypt, the Egyptian of that body shall be as Covernment agrees that the character and functions of that body shall be as provided in agrees that the character and functions of that body shall be as provided in Articles 11 and 12 of the present Agreement, and that the Commission's rights under the Deed of Gift shall continue unaffected by any Changes in the title, composition or powers of the said Committee made in configes in the title, composition or powers of the said commity with these articles.

### ARTICLE III

The Egyptian Government hereby agrees that the British War Memorial Cemeteries shall not be subject to any State or local taxes.

### ARTICLE IV

The exhumation of bodies buried in the British War Memorial Cemeteries or War Graves with a view to their transport elsewhere shall only take place agreement with the Commission. The Egyptian Government undertakes refuse all applications for permission for the removal of bodies unless preferred through the Commission.

### ARTICLE V

The Egyptian Government recognizes the right of the Commission to act Egypt as an Association possessing the civil rights of a juristic person. overnment of Egypt on the one hand, and the Governments of the

Ningdom of Great Britain IV alorran Ireland Canada, the Common-of Australia, New Zealand IV alorran of South Africa and India on the The Commission is authorized to enclose the British War Memorial Cemeteries, to lay them out according to a scheme approved by the Commission to erect in them sepulchral monuments or other suitable structures, to make plantations in them, to designate from time to designate from time to the suitable structures, to make the suitable structures, the suitable structures are suitable structures. plantations in them, to designate from time to time the custodians or persons take charge of them and subject to the take charge of them and, subject to the approval of the Minister of the Interior to enact regulations governing visits to and the policing of the same, and prosecute those who infringe the said regulations prosecute those who infringe the said regulations.

Great Britain Ireland IIV SISTRA ish Dominions beyond the Sous The custodians appointed by the Commission to take charge of and maintain the British War Memorial Company of the Commission to take charge of and maintain the British War Memorial Company of the Commission to take charge of and maintain the British War Memorial Company of the Commission to take charge of and maintain the Commission to take charge of the Commis the British War Memorial Cemeteries and War Graves may be persons British nationality. The custodian British nationality. The custodians shall be recognized by the Egyptill Government and shall receive from the Egyptill Government and shall receive from the Egyptian Government every assistant necessary for the safeguard and the Egyptian Government every assistant necessary for the safeguard and protection of the British War Memorial Cemeteries and War Graves. The custodians shall have no military character.

### ed no rotainile to liono ARTICLE VIII vd bevouges bas

The Egyptian Government recognizes the existence of graves of officers of the forces of His Maintenance of H men of the forces of His Majesty The King and Emperor situated outside limits of the lands granted by the said Dood of City limits of the lands granted by the said Deed of Gift, as set forth in a list to communicated to the Egyptian Government by communicated to the Egyptian Government by the Diplomatic representation in Egypt of His Majesty The King and Employee The Communicated to the Egyptian Government by the Diplomatic representation of the Egyptian Government by the Egyptian Government in Egypt of His Majesty The King and Emperor. The Egyptian Government undertake that, should the Commission at undertake that, should the Commission at any time in the future consider transfer of these graves necessary or desirable. transfer of these graves necessary or desirable, by reason of the close (for burial purposes) or disuse of the Comptant of the desirable of the comptant of the close of (for burial purposes) or disuse of the Cemeteries in which they are situated otherwise, all necessary facilities will be accorded to otherwise, all necessary facilities will be accorded to the Commission to remains to one or other of the British Wor M.

### agrees that the obst XI SISTRA metions of that body shall be as

Requests for permission to erect, even outside a British War Memorial Requests for permission to erect, even outside a British War Memorial Requests for permission to erect, even outside a British War Memorial Requests for permission to erect, even outside a British War Memorial Requests for permission to erect, even outside a British War Memorial Requests for permission to erect, even outside a British War Memorial Requests for permission to erect, even outside a British War Memorial Requests for permission to erect, even outside a British War Memorial Requests for permission to erect, even outside a British War Memorial Requests for permission to even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside and the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Requests for the even outside a British War Memorial Reputation Reput Cemetery, a commemorative monument designed to recall a feat of arms of forces of His Maiesty The King and Employee forces of His Majesty The King and Emperor or of any unit thereof, spat presented by the Commission to the Egyptian Covernment of presented by the Commission to the Egyptian Government for their consent

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Should a request of this nature be made direct to the Egyptian Government, latter shall refer it to the Commission before giving any decision, and shall consider in agreement with the Commission what action shall be taken thereon.

### ARTICLE X

All building material, stone, marble, tools or other stores required by the Commission from time to time for the construction of, or erection of monuments or upon, the British War Memorial Cemeteries and War Graves, or for repair replacement of existing materials, shall on production of the necessary certificates from the Commission's representative be admitted into Egypt by Le Egyptian Government free of all Customs duties or dues.

## ARTICLE XI

The Commission shall appoint a Committee with offices in Egypt to represent the Commission in Egypt in its relations with the Egyptian Authorities, and especially to exercise in the name of the Commission all or any of the rights reserved to it under the present agreement.

This Committee shall be competent to perform in the name of the Commission, and within the limits of the powers delegated to it by the latter, civil acts necessary to enable it to fulfil its object.

### ARTICLE XII

t the Covernment of the Union of South Africa.

The Committee in Egypt referred to in the previous Article shall be called the "Anglo-Egyptian War Cemeteries Committee." It shall be composed of the British and two Egyptian, and Anglo-Egyptian War Cemeteries Committee. To shall be British and two Egyptian, and of cick norary Members, of whom two shall be British and four Egyptian. of eight Official Members, of whom four shall be British and four Egyptian.

The Egyptian Members shall be appointed on the recommendation of the The Egyptian Members shall be appointed on the recommendation that through diploman Government, which shall be requested and transmitted through diplomatic channels.

The Honorary Members shall be chosen from persons who have won distinction in the Navy, the Army, the Air Force or the Civil Service, or in Letters, Art or Science.

The Egyptian Official Members shall be appointed in virtue of their official functions, and shall be regarded as appointed at the moment they assume office, and shall be regarded as appointed at the moment they assume office, and shall be regarded as appointed at the moment they vacate their cease to form part of the Committee from the day when they vacate their cease to form part of the Committee from the day when they vacate their said offices. The Egyptian Government undertakes to notify the Commission of all changes which may take place amongst the Egyptian Official

The Commission shall appoint the Secretary of the Committee.

### ARTICLE XIII

The agreement shall come into force on the day of its publication in the The agreement shall come into force on the day of its publication of the Egyptian Government; the contracting Governments shall by agreement of the Egyptian Government; the contracting Governments shall be agreement of the Egyptian Government; the contracting Governments of the Egyptian Government of the Egyptian Gov by agreement fix the date of this publication.

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In witness whereof the undersigned duly authorized thereto have signed the present agreement and have affixed thereto their seals.

Done at Cairo in duplicate the second day of June, one thousand nine hundred and thirty-seven.

For the Government of Egypt:

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For the Government of the United Kingdom of Great Britain and Northern Ireland:

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For the Government of Canada:

(L.S.) MILES W. LAMPSON

For the Government of the Commonwealth of Australia (L.S.) MILES W. LAMPSON

For the Government of New Zealand:

(L.S.) MILES W. LAMPSON

For the Government of the Union of South Africa:

(L.S.) MILES W. LAMPSON

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ARTICLE XIII



### EXCHANGE OF NOTES

No. 1

Mahmoud Ghaleb Pasha to Sir M. Lampson

Cairo, June 2, 1937.

Sir,

With reference to the Agreement concluded on the 2nd day of June, 1937, ween the Green between the Government of Egypt and the Governments of the United Kingdom, Canada the Government of South Africa Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and India and India respecting the British War Memorial Cemeteries and Graves in Egyptian territory, I take the opportunity of placing on record that the Egyptian Governor, I take the opportunity of Article 1 and in Articles 2 Syptian Governor. Explian territory, I take the opportunity of placing on recording the syptian Government agrees that in the first part of Article 1 and in Articles 7 and 10 convernment agrees that in the first part of Article 2 and 10 convernment agrees that in the first part of Article 2 and 10 convernment agrees that in the first part of Article 2 and 10 convernment agrees that in the first part of Article 2 and 10 convernment agrees that in the first part of Article 2 and 10 convernment agrees that in the first part of Article 2 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that in the first part of Article 3 and 10 convernment agrees that agrees the first part of Article 3 and 10 convernment agrees that agree 3 are agreed to 10 convernment agrees agree 3 and 10 convernment agree 3 are agreed to 10 convernment agreed to 10 convernment agree 3 are agreed to 10 convernment agreed to 10 con 3,7 and 10 of the said Agreement, the words "British War Memorial Cemeteries" shall be down the said Agreement, the words "British War Memorial at Port shall be deemed to include the Australian and New Zealand Memorial at Port Said and the the said Agreement shall Said and the Indian Memorial at Port Tewfik, and that the said Agreement shall have effect have effect accordingly.

I avail, &c.

MAHMOUD GHALEB Acting Minister for Foreign Affairs.

### No. 2

Sir M. Lampson to Mahmoud Ghaleb Pasha

British Embassy, Cairo, June 5, 1937.

Sir,

I have the honour to acknowledge receipt of your Excellency's note of the 2nd June placing on record, with reference to the Agreement concluded on the 2nd day of Lagrangian Convergence of Egypt and the Governments and day of June, 1937, between the Government of Egypt and the Governments of the United Market Barbara of June, 1937, between the Government of Australia, New Zealand, the United Market Barbara of Australia, New Zealand, the United Market Barb of the United Kingdom, Canada, the Commonwealth of Australia, New Zealand, the United Kingdom, Canada, the Commonwealth of British War Memorial the United Kingdom, Canada, the Commonwealth of Australia, Nor Memorial Cemeterics of South Africa and India respecting the British War Memorial Cemeteries and Graves in Egyptian territory, that the Egyptian Government agrees that in the first part of Article 1 and in Articles 3, 7 and 10 of the said Agreement the words "British War Memorial Cemeteries" shall be deemed to include the words "British War Memorial at Port Said and the Indian include the words "British War Memorial Cemeteries Shan and the Indian Memorial Australian and New Zealand Memorial at Port Said and the Indian Agreement shall have effect Memorial at Port Said and New Zealand Memorial at Port Said and Saccording at Port Tewfik, and that the said Agreement shall have effect accordingly.

I avail, &c.

MILES W. LAMPSON Ambassador. inviscemed duly authorized thereto have sign

ESTON TO ADVANCE One Chousan

No. I

Mahmoud Chaleb Pasher to Ser M. Lammson

Cairo, June 8, 1987.

Transference to the Agreement concluded on the 2nd day of June, 1937, of the Government of Egypt and the Governments of the United Kingdom Is, the Commonwealth of Australia, New Zealand, the Union of South Africa and respecting the British War Memorial Geneteries and Graves in the territory. I take the opportunity of placing on record that the land Government agrees that in the first part of Article I and in Articles and 40 of the said Agreement, the words "British War Memorial Cemeteries" to deemed to include the Australian and New Zealand Memorial at Port at the Innian Memorial at Port Tewfik, and that the said Agreement shall deed accordingly.

For the Assinventot of New Zealand

MAHMOUD GHALES

title divol to could add to restained Minister for Foreign Affairs.

MHEES W. LAMPSO

For the Covernment of India:

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Sir M. Lampson to Mahmond Chalab Pasha

British Embassy Cairo June 5 1937

the honour to acknowledge receipt of your Excellency's note of the placing on record, with reference to the Agreement concluded on the of June, 1937, between the Government of Egypt and the Governments and Australia, New Zealand, and Kingdom, Canada, the Commonwealth of Australia, New Zealand, ion of South Africa and India respecting the British War Memorial fact in the first part of Article 1 and in Articles 3, 7 and 10 of the said that the words "British War Memorial Cemeteries" shall be deemed to the words "British War Memorial Cemeteries" shall be deemed to the Australian and New Zealand Memorial at Port Said and the Indian at Port Towfik, and that the said Agreement shall have effect

I avail. &c.

MILES W. LAMPSON
Ambassador.