



Treaty Series No. 37 (1954)

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 of the
one part and the Government of Denmark
of the other part regarding

British Commonwealth War Graves in Danish Territory

Copenhagen, February 22, 1954

*Presented by the Secretary of State for Foreign Affairs to Parliament
by Command of Her Majesty
May 1954*

LONDON
HER MAJESTY'S STATIONERY OFFICE
FOURPENCE NET

Cmd. 9160

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

Copenhagen, February 22, 1954

The Government of Denmark of the one part, and the Governments of the United Kingdom of Great Britain and Northern Ireland, Australia, Canada, India, New Zealand, Pakistan and the Union of South Africa (hereinafter referred to as "the Commonwealth countries") of the other part,

Animated by a common desire that the graves in Danish territory of Members of the Armed Forces of the Commonwealth countries who have fallen in the Wars of 1914-18 and 1939-45 (hereinafter referred to as "the Commonwealth War Graves") should be protected from risk of disturbance and assured of respect and care in accordance with the Danish law prevailing at any time,

Have concluded the following Agreement:—

ARTICLE 1

The Imperial War Graves Commission, incorporated by Royal Charter of the 21st May, 1917 (hereinafter referred to as "the Commission") is recognised by the Government of Denmark as the sole permanent official authority entrusted on behalf of the Governments of the Commonwealth countries with the care of the Commonwealth War Graves. The Government of Denmark recognises the right of the Commission to act in Denmark as an Association possessing the civil rights of an individual in all that concerns the Commonwealth War Graves.

ARTICLE 2

The Government of Denmark undertakes to invite the competent local authorities to grant to the Commission the use of the land occupied by Commonwealth War Graves for a period of sixty years, which may be renewed thereafter. The Government of Denmark will express to these authorities the hope that such grants shall be free of cost to the Commission.

ARTICLE 3

Exhumation of bodies from the Commonwealth War Graves, unless undertaken or authorised by the Commission and the Danish Government, shall not be permitted. The Government of Denmark undertakes to invite the competent local authorities to refuse all applications for permission for the exhumation of any of these bodies or for their removal unless the applications have first been referred to and agreed by the Commission.

**OVERENSKOMST MELLEM KONGERIGET DANMARKS REGERING
OG REGERINGERNE I DET FORENEDE KONGERIGE STOR-
BRITANNIEN OG NORDIRLAND, AUSTRALIEN, CANADA,
INDIEN, NEW ZEALAND, PAKISTAN OG DEN SYDAFRIKANSKE
UNION VEDRØRENDE DET BRITISKE STATSSAMFUNDS
KRIGSGRAVE OG -MINDESMÆRKER PÅ DANSK OMRÅDE**

København, den 22. februar, 1954

Den kgl. danske regering på den ene side og regeringerne i Det forenede Kongerige Storbritannien og Nordirland, Australien, Canada, Indien, New Zealand, Pakistan og Den sydafrikanske Union (herefter i denne overenskomst kaldet „Det britiske Statssamfund“) på den anden side har,

Tilskyndet af et fælles ønske om at grave på dansk område for medlemmer af Det britiske Statssamfunds væbnede styrker, som er faldet i krigen 1914–18 og 1939–45 (herefter i denne overenskomst kaldet „Det britiske Statssamfunds krigsgrave“) bør beskyttes mod risiko for forstyrrelse og sikres gravfred og tilsyn i overensstemmelse med den til enhver tid gældende danske lovgivning,

Afsluttet følgende overenskomst:—

ARTIKEL 1

Den britiske Rigskommission for krigsgrave („The Imperial War Graves Commission“), stiftet ved kongeligt brev af 21. maj 1917 (herefter i denne overenskomst kaldet „Kommissionen“) anerkendes af den danske regering som den eneste permanente officielle myndighed, der har fået overdraget hvervet på Det britiske Statssamfunds regeringers vegne at føre tilsyn med Det britiske Statssamfunds krigsgrave. Den danske regering anerkender Kommissionens ret til i Danmark at handle som juridisk person i alt, hvad der vedrører Det britiske Statssamfunds krigsgrave.

ARTIKEL 2

Den danske regering vil opfordre de kompetente stedlige myndigheder til at overdrage Kommissionen brugen af de arealer, der rummer Det britiske Statssamfunds krigsgrave, for et tidsrum af tresindstyve år med mulighed for forlængelse. Den danske regering vil henstille til disse myndigheder, at overdragelserne finder sted uden udgift for Kommissionen.

ARTIKEL 3

Opgravning af lig bisat i Det britiske Statssamfunds krigsgrave skal ikke være tilladt, med mindre den foretages eller godkendes af den danske regering og Kommissionen. Den danske regering vil opfordre de kompetente stedlige myndigheder til at afslå enhver ansøgning om tilladelse til opgravning eller flytning af sådanne lig, med mindre ansøgningen først har været forelagt Kommissionen og er blevet godkendt af denne.

ARTICLE 4

The Commission shall appoint to represent them in Denmark a Joint Committee consisting of two Danish members and two Commonwealth members. The former shall be designated by the Government of Denmark.

The functions of this Committee shall be to act when necessary as an official channel between the Danish authorities and the Commission on matters concerning the Commonwealth War Graves or relating to the responsibilities and functions of the Commission in Denmark, generally, as well as to advise and assist the Commission in its task in Denmark.

ARTICLE 5

This Agreement shall come into force thirty days after the date of signature⁽¹⁾.

(1) March 24, 1954.

[See page 6 for signatures]

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ARTIKEL 4

Til at repræsentere sig i Danmark nedsætter Kommissionen et Fællesudvalg, bestående af to danske medlemmer og to medlemmer fra Det britiske Statssamfund. De to førstnævnte udpeges af den danske regering.

Udvalgets opgave skal være i påkommende tilfælde at virke som et officielt forbindelsesled mellem de danske myndigheder og Kommissionen i spørgsmål om Det britiske Statssamfunds krigsgrave eller om Kommissionens ansvar og funktioner i Danmark i almindelighed, samt at vejlede og bistå Kommissionen med hensyn til dennes hverv i Danmark.

ARTIKEL 5

Denne overenskomst træder i kraft tredive dage efter datoen for undertegnelsen.

[For underskrifter se side 6]

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed the present Agreement.

Til bekræftelse heraf har de undersignede, af deres regeringer behørigt befuldmægtigede, underskrevet nærværende overenskomst.

Done at Copenhagen on the 22nd day of February, 1954, in Danish and in English, both texts being equally authentic, in a single copy which shall be deposited with the Government of Denmark and of which certified copies shall be furnished to the other Governments parties to this Agreement.

Udfærdiget i København, den 22. februar 1954, på dansk og engelsk, således at begge tekster skal have lige gyldighed, i et enkelt eksemplar, der skal deponeres hos den kgl. danske regering, og af hvilket bekræftede genpartier skal overlades til de øvrige regeringer, der er partier i nærværende overenskomst.

For the Government of the Kingdom of Denmark:

For Kongeriget Danmarks Regering:

(L.S.) H. C. HANSEN

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

For det Forenede Kongerige Storbritannien og Nordirlands Regering:

(L.S.) ERIC BERTHOUD

For the Government of Australia:

For Australiens Regering:

(L.S.) ERIC BERTHOUD

For the Government of Canada:

For Canadas Regering:

(L.S.) E. D'ARCY MCGREER

For the Government of India:

For Indiens Regering:

(L.S.) A. C. N. NAMBIAR

For the Government of New Zealand:

For New Zealands Regering:

(L.S.) ERIC BERTHOUD

For the Government of Pakistan:

For Pakistans Regering:

(L.S.) S. M. BURKE

For the Government of the Union of South Africa:

For den Sydafrikanske Unions Regering:

(L.S.) ERIC BERTHOUD