

507
FEDERAL REPUBLIC
OF GERMANY



Treaty Series No. 62 (1960)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Federal Republic of Germany

amending the Agreement regarding
German War Graves in the United Kingdom,
signed at London on October 16, 1959

London, April 21-22, 1960

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
October 1960*

LONDON
HER MAJESTY'S STATIONERY OFFICE
FOURPENCE NET

Cmnd. 1170

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AMENDING THE AGREEMENT REGARDING GERMAN WAR GRAVES IN THE UNITED KINGDOM, SIGNED AT LONDON ON OCTOBER 16, 1959

No. 1

The Secretary of State for Foreign Affairs to the Minister at the Embassy of the Federal German Republic at London

Foreign Office, S.W. 1.

April 21, 1960.

Sir,

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal Republic of Germany regarding German War Graves in the United Kingdom, which was signed at London on the 16th of October, 1959⁽¹⁾, and to the discrepancy in Article 7 of the German text thereof. I now have the honour to suggest that in order to rectify the omission in the German text of the aforesaid Agreement, Article 7 thereof shall be amended to read as follows:—

- (1) Die Exhumierung und Überführung deutscher Kriegstoter aus dem Vereinigten Königreich nach Deutschland unterliegen der vorherigen Genehmigung der Bundesregierung. Die Regierung des Vereinigten Königreichs gestattet solche Überführung nur nach Vorlage dieser Genehmigung. Bei Überführungen sind die im Vereinigten Königreich und in der Bundesrepublik Deutschland geltenden Rechtsvorschriften über Leichenbeförderung zu beachten.
- (2) Der Antrag auf Exhumierung und Überführung eines Toten ist von den berechtigten Familienangehörigen bei den zuständigen deutschen Behörden zu stellen, die den Antrag an die Regierung des Vereinigten Königreichs weiterleiten.
- (3) Die Kosten einer solchen Exhumierung und Überführung gehen nicht zu Lasten der Regierung des Vereinigten Königreichs oder der Imperial War Graves Commission.
- (4) Anträge auf Überführung von Kriegstoten nach anderen Ländern werden von der Regierung des Vereinigten Königreichs vor ihrer Genehmigung der Bundesregierung übermittelt, um die genaue Grablage und die Identität des zu exhumierenden Toten feststellen zu lassen.

(1) "Treaty Series No. 4 (1960)", Cmnd. 930.

569

If the foregoing proposal is acceptable to the Government of the Federal Republic of Germany, I have the honour to suggest that this Note and your reply in that sense should be regarded as constituting an Agreement between the two Governments in this matter.

I have, &c.

(For the Secretary of State)
ROBERT ALLAN.

No. 2

*The Minister at the Embassy of the Federal German Republic at London
to the Parliamentary Under-Secretary of State at the Foreign Office, London.*

*Botschaft der Bundesrepublik Deutschland,
April 22, 1960.*

Sir,

I beg to acknowledge receipt of your Note of April 21, 1960, which *in extenso* reads as follows:—

[As in No. 1.]

I have the honour to confirm that the above proposals are acceptable to the Federal Republic of Germany and that Your Note and this reply shall constitute an Agreement in this matter.

I have, &c.

JOACHIM FRIEDRICH RITTER.

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