

BATTLE MONUMENTS

Agreement signed at Paris October 4, 1929

*Ratified by the President of the United States January 11, 1930, by
authority of an Act of Congress of March 4, 1923*

Ratified by Belgium April 8, 1930

Ratifications exchanged at Brussels April 17, 1930

Entered into force April 17, 1930

Proclaimed by the President of the United States April 23, 1930

Superseded by agreement of November 27, 1959¹

46 Stat. 2732; Treaty Series 812

AGREEMENT CONCLUDED BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND BELGIUM COVERING THE ERECTION BY THE AMERICAN BATTLE MONUMENTS COMMISSION OF CERTAIN MEMORIALS IN BELGIUM

This Agreement made at Paris, on October 4, 1929, by and between the Government of the United States of America, represented by General John J. Pershing, of the American Battle Monuments Commission, party of the first part, and the Royal Belgian Government, represented by Baron E. de Gaiffier d'Hestroy, Belgian Ambassador in Paris, party of the second part, for the acquisition by the Royal Belgian Government of lands intended as sites for monuments which the American Battle Monuments Commission is to erect in Belgium, in accordance with and by authority of the Act of Congress of the United States approved March 4th., 1923,² entitled "An act for the creation of an American Battle Monuments Commission to erect suitable memorials, commemorating the services of the American soldiers in Europe and for other purposes", witnesseth that:

ARTICLE 1

The Belgian Government will acquire, by mutual agreement with the proprietors, the lands necessary for the erection of the American memorials.

ARTICLE 2

The negotiations with the owners or tenants for the cession of the said lands will be pursued by the American Battle Monuments Commission, who

¹ 10 UST 2124; TIAS 4383.

² 42 Stat. 1509.

will reimburse the Belgian Government for the purchase price thereof and for any expenses occasioned by the acquisition.

ARTICLE 3

The said lands, as well as the monuments erected thereon, will be the property of the Belgian Government, who will grant to the Government of the United States without cost and in perpetuity the use and free disposal thereof.

ARTICLE 4

The lands acquired will be devoted in perpetuity to the purpose above mentioned, but the Belgian Government shall have no responsibility with respect to the maintenance or the preservation of the monuments and their accessories.

If, in the future, the monuments should disappear or fall into ruin as a result of abandonment that can be considered as definite, and after the Belgian Government has informed the Government of the United States of their condition sufficiently in time so as to permit the latter to remedy the same if it so desires, the Belgian Government shall no longer be bound to permit the said lands to remain unproductive in perpetuity and shall have the right to use them for other purposes.

ARTICLE 5

It is expressly agreed that the said lands can be divested of their special character for reasons of the public welfare or public utility, of which the Belgian Government alone shall be judge.

In such case, after having consulted the American Battle Monuments Commission or eventually the Secretary of War, the Belgian Government will undertake, as far as it is still practicable, to rebuild at its own expense at another place in its territory and under similar conditions the monuments erected upon the lands in question.

ARTICLE 6

The American Battle Monuments Commission or the organization which will eventually replace it will administer the land and monuments in perpetuity, in conformity with the Belgian laws and regulations, and will bear all expenses incident thereto so that the Belgian Government shall not be involved in any way.

ARTICLE 7

The Belgian Government will settle all difficulties which may arise with owners or tenants of adjoining lands; it will institute and pursue any suit or sustain any defense concerning the properties acquired which may hereafter appear necessary. The cost involved and the amount of any possible

judgments rendered against the Belgian Government will be repaid by the Government of the United States.

It is agreed, however, that settlement for damages caused by the personnel appointed by the Government of the United States for the maintenance and guarding of the American memorials or by the equipment belonging to it, will be undertaken by the representative appointed by that Government.

The present Accord is to be ratified by both Governments. The exchange of ratifications is to take place in Brussels.

IN WITNESS WHEREOF the date, month and year above-mentioned, this Agreement has been signed in four copies, each copy having the same value and effect as an original, by the Government of the United States, represented by General John J. Pershing of the American Battle Monuments Commission, and the Royal Belgian Government, represented by Baron E. de Gaiffier d'Hestroy, Belgian Ambassador in Paris.

JOHN J. PERSHING	[SEAL]
E. DE GAIFFIER	[SEAL]