

WORLD HEALTH
ORGANIZATIONORGANISATION MONDIALE
DE LA SANTÉEXECUTIVE BOARDEB3/49
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ORIGINAL: FRENCH

Third Session

✓ TRANSPORTATION OF CORPSES

Paper submitted by Dr. C. van den Berg

On the initiative of the Office International d'Hygiène Publique in Paris, which at its session of 7 May 1934 had approved a draft convention concerning the transportation of corpses, a convention was concluded on 10 February 1937 in Berlin, which was signed by the representatives of eleven countries, namely Belgium, Chili, Denmark, Egypt, France, Germany, the Netherlands, Italy, Turkey, Czechoslovakia and Switzerland.

A copy of this convention is attached hereto. (See Annex).

This convention stipulated the maximum conditions which can be required for the admittance of corpses from one of the contracting countries.

In the opinion of the undersigned the Berlin convention had not had the desired results, principally because the convention - as it mentioned - was only signed by the representatives of the above-named eleven countries. Of these countries only Belgium, Egypt, France, Germany, Italy and Switzerland decided on ratification, whilst later on Mexico and Roumania adhered to the convention. The fact that the other signatories did not ratify the convention was partly due to the circumstance that objections evidently appeared to exist against the ratification, and partly due to the fact that the countries which wished to deposit the ratification documents could not do so during and after the second world war, since the deposition was required to take place with the German Government and this was impossible during that period.

It is therefore of the utmost importance that all questions connected with the problem should now be brought before the World Health Organisation.

The writer is of the opinion that it should be recommended for the World Health Organization to establish an expert committee. The task of this committee - particular attention would have to be paid to a correct geographical distribution when the committee was being established - would be to consider:

1. Whether the terms of the convention concluded at Berlin on 10 February 1937 should be amended and if so what amendments should be made;
2. Whether or not these regulations (amended or not) should be accepted by the World Health Conference as a convention or as an agreement.

If the Board agrees with the views expressed, it may wish to adopt a resolution along the following lines:

Whereas the existing international convention concerning the transportation of corpses is not universally applied and probably needs to be revised,

Whereas it is considered of importance that regulations concerning this subject be made applicable for the whole world,

The Executive Board

RESOLVES to propose that the second World Health Assembly should establish an expert committee with the task of considering:

1. Whether the terms of the convention concluded at Berlin on 10 February 1937 should be amended and if so what amendments should be made;
2. Whether or not these regulations (amended or not) should be accepted by the World Health Conference as a convention or as an agreement.

Translation.¹

No. 4391. - INTERNATIONAL ARRANGEMENT² CONCERNING
THE CONVEYANCE OF CORPSES. SIGNED AT BERLIN
FEBRUARY 10TH, 1937

French official text communicated by the Egyptian
Minister for Foreign Affairs. The registration
of this Arrangement took place July 5th, 1938

Desirous of avoiding the difficulties resulting from differences in the regulations concerning the conveyance of corpses, and considering the convenience of laying down uniform regulations in the matter, the undersigned Governments undertake to accept the entry into their territory, or the passage in transit through their territory, of the corpses of persons deceased on the territory of any one of the other contracting countries on condition that the following regulations are complied with:

A. GENERAL REGULATIONS

Article 1

For the conveyance of any corpse by any means and under any conditions, a special laissez-passer (laissez-passer for a corpse) complying as far as possible with the model annexed hereto, and in any case stating the surname, first name and age of the deceased person, and the place, date and cause of decease, shall be required; the said laissez-passer shall be issued by the competent authority for the place of decease or the place of burial in the case of corpses exhumed.

It is recommended that the laissez-passer should be made out, not only in the language of the country issuing it, but also in at least one of the languages most frequently used in international relations.

Article 2

Neither the country of destination nor the countries of transit shall require, over and above such papers as are required under international conventions for the purpose of transports in general, any document other than the laissez-passer provided for in the preceding Article. The said laissez-passer shall not be issued by the responsible authority, save on presentation of:

- (1) A certified true copy of the death certificate;

¹Translated by the Secretariat of the League of Nations, for information

²Ratifications deposited in Berlin:

FRANCE	July 20th, 1937.
EGYPT	November 1st, 1937.
ITALY	December 21st, 1937.
CZECHOSLOVAKIA	January 5th, 1938.
GERMANY	February 1st, 1938.

Came into force June 1st, 1938.

(2) Official certificates to the effect that conveyance of the corpse is not open to objection from the point of view of health or from the medico-legal point of view, and that the corpse has been placed in a coffin in accordance with the regulations laid down in the present Arrangement.

Article 3

Corpses must be placed in a metal coffin, the bottom of which has been covered with a layer of approximately 5 cm. of absorbent matter such as peat, sawdust, powdered charcoal or the like with the addition of an antiseptic substance. Where the cause of decease was a contagious disease, the corpse itself shall be wrapped in a shroud soaked in an antiseptic solution.

The metal coffin must thereupon be hermetically closed (soldered) and fitted into a wooden coffin in such a manner as to preclude movement. The wooden coffin shall be of a thickness of not less than 3 cm.: its joints must be completely watertight: and it must be closed by means of screws not more than 20 cm. distant from one another, and strengthened by metal hoops.

Article 4

Conveyance of the corpses of persons deceased by reason of plague, cholera, small-pox or typhus shall not be authorised as between the territories of the Contracting Parties until one year at earliest after the decease.

B. SPECIAL REGULATIONS.

Article 5

In the case of transport by rail, the following regulations shall apply over and above the general regulations contained in Articles 1 to 4:

(a) Coffins must be conveyed in a closed waggon, save where they are handed over for conveyance in a closed hearse, and remain in the same.

(b) Each country shall be responsible for fixing the time-limit within which the body must be removed on arrival. Where the consignor produces satisfactory proof that the corpse will effectively be removed within such time-limit, the coffin need not be accompanied.

(c) No articles may be transported along with the coffin other than wreaths, bunches of flowers and the like.

(d) Coffins must be despatched by the speediest route and, as far as possible, without trans-shipment.

Article 6

In the case of motor transport, the following regulations shall apply over and above the general regulations contained in Articles 1 to 4:

(a) Coffins must be conveyed preferably in a special hearse or, failing such, in an ordinary closed van.

(b) No articles may be transported along with the coffin other than wreaths, bunches of flowers and the like.

Article 7

In the case of transport by air, the following regulations shall apply over and above the general regulations contained in Articles 1 to 4 :

(a) Coffins must be conveyed either in an aircraft specially and solely used for the purpose or in a special compartment solely reserved for the purpose in an ordinary aircraft.

(b) No articles may be transported along with the coffin in the same aircraft or in the same compartment, other than wreaths, bunches of flowers and the like.

Article 8

In the case of transport by sea, the following regulations shall apply over and above the general regulations contained in Articles 1 to 4:

(a) The wooden coffin containing the metal coffin in accordance with the provisions of Article 3 must itself be packed in an ordinary wooden case in such a manner as to preclude movement.

(b) The said case, with its contents, must be so placed as to exclude any contact with foodstuffs or articles for consumption and to preclude inconvenience to the passengers or crew of any kind.

Article 9

Where decease takes place on board ship, the body must be preserved under the same conditions as those provided for in Article 8 above. The documents and certificates required under Article 2 shall be made out in accordance with the law of the country whose flag the vessel flies, and transport shall take place in the same manner as in the case of a corpse shipped on board.

Where decease takes place less than forty-eight hours before the arrival of the vessel in the port at which the burial is to take place, and the material required for the strict observance of the provisions laid down in paragraph (a) of Article 8 is not available on board, the corpse, wrapped in a shroud soaked in an antiseptic solution, may be placed in a coffin of solid wood of planks not less than 3 cm. thick with watertight joints, closed by screws. The bottom of the coffin must previously have been covered with a layer of approximately 5 cm. of absorbent matter such as peat, sawdust, powdered charcoal or the like with the addition of an antiseptic substance. The coffin must thereupon be fitted into a wooden case in such a manner as to preclude movement. The provisions of this paragraph shall not apply where death was due to one of the diseases specified in Article 4.

This Article shall not apply to vessels whose voyages do not exceed 24 hours, if in the event of a decease on board they hand over the corpse to the competent authorities as soon as they arrive at the port at which it is to be handed over.

C. FINAL PROVISIONS

Article 10

The provisions, both general and specific, of the present Arrangement embody the maximum requirements (other than in the matter of charges) which may be stipulated in connection with the acceptance of corpses coming from any one of the contracting countries. The said countries remain free to grant greater facilities, either by means of bilateral agreements or by decisions in particular cases arrived at by common accord.

The present Arrangement shall not apply to the conveyance of corpses between frontier districts.

Article 11

The present Arrangement applies to international transport of corpses immediately after decease or exhumation. Nothing therein contained shall in any way affect the regulations in force in the respective countries in respect of burial and exhumation.

The present Arrangement shall not apply to the transport of ashes.

D. PROTOCOL CLAUSES

Article 12

The present Arrangement shall bear to-day's date, and may be signed within six months as from that date.

Article 13

The present Arrangement shall be ratified, and the instruments of ratification shall be transmitted to the German Government as soon as possible.

As soon as five ratifications have been deposited the German Government shall draw up a procès-verbal to that effect. It shall transmit copies of the procès-verbal to the Governments of the High Contracting Parties and to the Office international d'Hygiène publique. The present Arrangement shall come into force on the 120th day after the date of the said procès-verbal.

Every subsequent deposit of ratifications shall be put on record by means of a procès-verbal drawn up and communicated in accordance with the procedure laid down above. The present Arrangement shall come into force in respect of each of the High Contracting Parties on the 120th day after the date of the procès-verbal putting on record the deposit of its ratifications.

Article 14

Countries not signatories to the present Arrangement may accede to the same at any time from the date of the procès-verbal putting on record the deposit of the first five ratifications.

Each accession shall be made by means of notification through the

diplomatic channel to the German Government. The said Government shall deposit the act of accession in its archives; it shall immediately notify the Governments of all the countries Parties to the Arrangement and the Office international d'Hygiène publique notifying the date of deposit. Each accession shall take effect on the 120th day from that date.

Article 15

Each of the High Contracting Parties may declare at the time of signature ratification or accession, that by its acceptance of the present Arrangement it does not intend to undertake any obligation in respect of all or part of its colonies, protectorates, overseas territories or territories placed under its suzerainty or mandate; in the which case the present Arrangement shall not apply to territories in respect of which such a declaration has been made.

Each of the High Contracting Parties may later notify the German Government that it intends to make the present Arrangement applicable to all or part of its territories which were the subject of the declaration provided for in the previous paragraph; in the which case the Arrangement shall apply to the territories named in the notification on the 120th day from the date of the deposit of the same in the archives of the German Government.

Likewise every High Contracting Party may at any time after the expiry of the time-limit specified in Article 16 declare that it intends that the application of the present Arrangement to all or part of its colonies, protectorates overseas territories or territories placed under its suzerainty or mandate shall cease; in the which case the Arrangement shall cease to apply to the territories which are the subject of such declaration one year after the deposit of the same in the archives of the German Government.

The German Government shall notify the Governments of all the countries Parties to the present Arrangement and the Office international d'Hygiène publique of the notifications and declarations made under the above provisions, communicating to them the date of deposit of such notifications or declarations in its archives.

Article 16

The Government of any country Party to the present Arrangement may at any time after the Arrangement has been in force in respect of that Government for five years denounce it by written notification communicated through the diplomatic channel to the German Government. The German Government shall deposit the notice of denunciation in its archives. It shall immediately notify the Governments of all the countries Parties to the Arrangement and the Office international d'Hygiène publique, communicating to them the date of deposit. Every denunciation shall take effect one year after that date.

Article 17

The signature of the present Arrangement may not be accompanied by any reservation which has not been previously approved by those High Contracting Parties who are already signatories. Likewise, ratifications

or accessions accompanied by reservations which have not been previously approved by all countries Parties to the Convention shall not be put on record.

In faith whereof the respective Plenipotentiaries, provided with full powers recognised in good and due form, have signed the present Arrangement.

Done at Berlin on February 10th, 1937, in one single copy which shall remain deposited in the archives of the German Government, and certified true copies of which shall be communicated through the diplomatic channel to each of the High Contracting Parties.

For Germany:	DIECKHOFF	For Italy:	B. ATTOLICO
For Belgium:	Jacques DAVIGNON	For Switzerland:	Paul DINICHERT
For Chile:	Luis V. DE PORTO- SEGURO	For Czechoslovakia:	Dr. V. MASTNY
For Denmark:	H. HOFFMEYER	For Turkey:	M. H. ARPAG
For France:	André FRANCOIS-PONCET		

For the Netherlands: C. VAN RAPPARD

For Egypt: July 28th, 1937

H. NACHAT.

Only for the Kingdom in Europe. Not applicable to the Netherlands Indies, to Surinam or to Curaçao.

May 28th, 1937.