

(English version)

**Question for written answer E-000338/12
to the Commission
Evelyn Regner (S&D) and Othmar Karas (PPE)
(13 January 2012)**

Subject: Transfer of corpses in Europe

The transfer of corpses within Europe is, in practice, an extremely difficult matter, both for the bereaved and for undertakers. Although free movement of persons is one of the principles underlying the single European market, a number of problems arise where corpses are concerned: in addition to long delays, bureaucratic obstacles pose the greatest difficulty for the bereaved, preventing a speedy return to the deceased's country of origin.

The rules governing the transport of coffins are laid down in the 1937 Berlin Arrangement and the 1973 Strasbourg Agreement. However, the fact that not all Member States have ratified those agreements has led to an undesirable situation in which even individual European villages might have their own special regulations and provisions. A smooth process with as little red tape as possible is in the interests of all involved, particularly in sensitive cases such as the return of corpses. This is one area in which EU regulations need to be standardised.

1. Does the Commission have any plans to simplify the transfer of corpses?
2. What kind of steps could be taken in the immediate future?

**Answer given by Mr Barnier on behalf of the Commission
(2 March 2012)**

The Commission refers the Honourable Members to its answers to Written Questions E-10619/10, E-2731/10, E-1264/08, E-1573/02 and joint replies E-0923/02 and E-0073/02.

The Commission recognises that the repatriation of the remains of a person who has died in a Member State other than his/her own is a sensitive and difficult issue which can cause great concern for the family involved.

The transfer of corpses in Europe is subject to a number of international agreements, above all those of the 1937 Berlin ⁽¹⁾ and 1973 Strasbourg ⁽²⁾ Agreements. The latter Agreement aims at simplifying formalities and adapting the provisions of the Berlin Agreement to developments in communications, international relations and cross-border traffic for States bound by these agreements.

Seventeen EU Member States have ratified the Strasbourg Agreement, and a further four have ratified the Berlin Agreement, which means that a total of 21 EU Member States have been sharing for many decades basically the same rules on the same subject.

In addition, all EU Member States must act in conformity with applicable European law for instance in regard to free movement of services and have to apply all requirements in a non-discriminatory and proportionate manner. The Commission does not plan to propose any specific harmonisation measures nor to take any other steps on this subject in the immediate future.

⁽¹⁾ International Arrangements concerning the conveyance of corpses. Signed at Berlin, February 10th, 1937, League of Nations Treaty Series 1938, No 4391, 315.

⁽²⁾ Council of Europe Agreement of 26 October 1973 entitled 'Agreement on the Transfer of Corpses', ETS No 80.