



## **PREAMBLE**

The cross-border transport of bodies within the European Union is subject to two multi-lateral agreements:

- the Berlin Agreement on the Transport of Human Remains of 1937;
- the Strasbourg Agreement on the Transfer of Corpses of 1973.

Having been adopted a long time ago, these agreements give rise to the following observations:

- Repatriation and transport of a deceased person has to be aware of the human dignity.
- They are binding on the members states, whose membership is not identical with that of the European Union.
- They do not take account of the single European market, as defined by the EU Treaties adopted after the entry into force of texts.
- They can cause unnecessary costs for families desiring to have the body of a deceased relative repatriated.
- Given their age, they do not take account of more recent technological developments (refrigerating technology, conservation of bodies, biodegradable shrouds).

In view of the above, the need for a binding regulation concerning the intra-community transport of the human remains of EU nationals has arisen.

This regulation exclusively covers the intra-community transport of bodies and considers the contents of the European Standard CEN/BT/TF139 "Funeral Services" approved on 27 July 2005.

### **Article 1**

Identification of the deceased

The identification of the deceased must be performed before the body is placed in the coffin by the funeral enterprise or operator of the country of departure. The elements of identification relate to the civil status of the deceased and are indicated on the laissez-passer for the body, as specified in Article 3.

For identification, the body must be provided with:

- an identification bracelet attached to the body part (wrist, ankle, ...)
- a non-removable and tamper-proof identification tag attached to the coffin and its wrapping, if any.

Information required on the bracelet:

- surname and first name(s)
- sex
- date and place of birth
- date and place of death
- nationality

Information required on the identification tag:

- surname and family name(s)
- date of birth
- date of death

### **Article 2**

A deceased person had to be transported in a coffin/casket.

Coffins used for intra-community transport have to meet a number of specific requirements:

#### **2.1. Coffin**



The coffin must be made of solid material – the main material used in Europe is wood) (excluding the use of carton or chipboard). The material used for the coffin must be biodegradable.

The coffin must be impervious; the products used to make it impervious must be biodegradable and in conformity with the standards applicable to crematorium emissions.

In particular, the coffin must be impervious to decomposition liquids and fitted with absorbent material. In a outcover of the coffin/casket shall meet necessary sanitary requirements.

## **2.2. Coffin accessories**

Coffin accessories must be compatible with European environmental and biodegradability standards.

## **2.3 Death caused by a contagious disease**

If the cause of death was a contagious disease (as per the WHO official list), the outer container (usually wooden) used for the transport of the body may be lined with a hermetically sealed container. The hermetically sealed container must be provided with a purifying filter.

## **2.5. Conditions required for international transport**

A) If the conservative treatments (Thanatopraxy) have been performed within 36 hours after the death, body must be encoffened within 6 days. The transport must be done not more than 48 hours after encoffening and sealing.

B) The conditions required for long distance international transport outside Europe are:

— hermetically sealed container;

and/or

— embalming/thanatopractical treatment;

and/or

— refrigeration.

In the case of refrigeration at no time shall the temperature inside the container exceed 8°C during transport.

## **2.6. Transport of cremated remains**

When cremated remains are being transported, whether it be by post, courier, or any other means, they should be secured in a suitable container for such purpose which should clearly identify the contents and be accompanied by any necessary statutory documentation needed from the country from which they emanate and their ultimate destination.

## **Article 3**

Documents required for the transport of bodies between Member States of the European Union:

### **3.1. Medical certificate of death**

It is to be drawn up, on the one hand, in the language of the country of departure in which the death has occurred and, on the other hand, in one of the following languages: English, German or French. It must contain the following information:

Information relating to the deceased:

- Surname and maiden name in the case of a married woman
- First name(s)
- Date and place of birth
- Date and place of death
- Sex

Information relating to the death:

- Cause of death:



- Natural
- Unatural
  
- Death due to illness:
  - Only existing contagious diseases.
  - Non-contagious

### **3.2. Laissez-passer for the corpse:**

The form has to comprise several fields for data entry:

#### **“Laissez-passer” for a deceased or cremated human remains**

Authority is hereby given for the removal of the deceased/cremated remains:

Name and first name of the deceased:

Died on:

at:

State cause of death (if possible):

- Not applicable for cremated remains –

Contagious disease (yes/no):

- Not applicable for cremated remains –

Date and place of birth (if possible, if not: estimated age):

Date and place of cremation (if relevant):

The deceased/cremated remains is to be conveyed (means of transport)  
from (place of departure)  
via (route)  
to (destination)

The transport of this deceased/cremated remains having been duly authorized, all and sundry authorities of the States over whose territory the deceased/cremated remains is to be conveyed are requested to let it pass without let or hindrance.

Issued at:

Signature of the appropriate authority (or by the funeral home for the transportation of cremated remains)

on:

Official stamp of the appropriate authority (or stamp of the funeral home for the transportation of cremated remains)

The fields of the laissez-passer for the corpse and their arrangement on the form are the same for the different languages of the European Union and also for the copy of the document to be completed in English, German or French.

### **3.3. Certificate of embalming.**

If conservation measures have been taken, a certificate of embalming must be issued in the official language of the country in which the measures were applied as well as in English, German or French.

The certificate has to contain the following information:

- Identification of the deceased
- Date and place of death
- Date and place of embalming
- Types of conservation measures taken
- Information about the person or enterprise having applied the conservation measures