

CANADA

TREATY SERIES, 1944

No. 40

The Government and High Command of Romania, recognizing the fact of the defeat of Romania in the war against the United Kingdom, the United States of America, the Union of Soviet Socialist Republics, and the other United Nations, accept the armistice terms proposed by the Government of the above-mentioned free Allied Powers, and sign the following terms on behalf of the United Nations. (1)

On the basis of the foregoing in WITH the Allied Powers High Command, Marshal of the Air General M. Antonescu, fully authorized thereto by the Government of the United States of America and of the Soviet Union, and of all the United Nations on the one hand, and of the ROUMANIAN Government and their Command on the other hand,

Signed at Moscow, September 12, 1944

As from the 2nd instant, Germany will commence the entire
continued military operations against the United Socialist Workers
in all theatres of war, but particularly in the way against the United Na-
tions broken off relations with Germany and her satellites has entered the
and will wage war on the side of the United Powers against Germany and
Hungary for the purpose at restoring Rumanian independence and averting
for which purpose she reserves just less than three million dollars with
Treasury.

AND RELATED DOCUMENTS



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ARMISTICE WITH ROUMANIA

Signed at Moscow, September 12, 1944

I

ARMISTICE AGREEMENT

The Government and High Command of Roumania, recognizing the fact of the defeat of Roumania in the war against the United Kingdom, the United States of America, the Union of Soviet Socialist Republics, and the other United Nations, accept the armistice terms presented by the Governments of the above-mentioned three Allied Powers, acting in the interests of all the United Nations. (1).

On the basis of the foregoing the representatives of the Allied (Soviet) High Command, Marshal of the Soviet Union R. Y. Malinovski, duly authorized thereto by the Governments of the United Kingdom, the United States of America and of the Soviet Union, acting in the interests of all the United Nations, on the one hand, and the representatives of the Government and High Command of Roumania, Minister of State and Minister of Justice L. Patrascu, Deputy Minister of Internal Affairs, Adjutant of His Majesty the King of Roumania, General D. Damanceanu, Prince Stirbey, and Mr. G. Popp, on the other hand, holding proper full powers, have signed the following conditions:—

ARTICLE 1

As from the 24th August, 1944, at 4 a.m., Roumania has entirely discontinued military operations against the Union of Soviet Socialist Republics on all theatres of war, has withdrawn from the war against the United Nations, has broken off relations with Germany and her satellites, has entered the war and will wage war on the side of the Allied Powers against Germany and Hungary for the purpose of restoring Roumanian independence and sovereignty, for which purpose she provides not less than 12 infantry divisions with Corps Troops.

Military operations on the part of Roumanian armed forces, including naval and air forces, against Germany and Hungary will be conducted under the general leadership of the Allied (Soviet) High Command.

ARTICLE 2

The Government and High Command of Roumania undertake to take steps for the disarming and interning of the armed forces of Germany and Hungary on Roumanian territory and also for the interning of the citizens of both States mentioned who reside there. (See Annex to Article 2).

ARTICLE 3

The Government and High Command of Roumania will ensure to the Soviet and other Allied forces facilities for free movement on Roumanian territory in any direction if required by the military situation, the Roumanian Government and High Command of Roumania giving such movement every possible assistance with their own means of communication and at their own expense on land, on water and in the air. (See Annex to Article 3).

(1) By Proclamation issued at Ottawa on December 7, 1941, it was declared that a state of war with Roumania existed as and from December 7, 1941.

ARTICLE 4

The State frontier between the Union of Soviet Socialist Republics and Roumania established by the Soviet-Roumanian agreement of the 28th June, 1940, is restored.

ARTICLE 5

The Government and High Command of Roumania will immediately hand over all Soviet and Allied prisoners of war in their hands, as well as interned citizens and citizens forcibly removed to Roumania, to the Allied (Soviet) High Command for return of these persons to their own country.

From the moment of the signing of the present terms and until repatriation, the Roumanian Government and High Command undertake to provide at their own expense all Soviet and Allied prisoners of war as well as forcibly removed and interned citizens and displaced persons and refugees with adequate food, clothing and medical service in accordance with hygienic requirements, as well as with means of transport for return of all these persons to their own country.

ARTICLE 6

The Roumanian Government will immediately set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favour of the United Nations or because of their sympathies with the cause of the United Nations, or because of their racial origin, and will repeal all discriminatory legislation and restrictions imposed thereunder.

ARTICLE 7

The Roumanian Government and High Command undertake to hand over as trophies into the hands of the Allied (Soviet) High Command all war material of Germany and her satellites located in Roumanian territory, including vessels of the fleet of Germany and her satellites located in Roumanian waters.

ARTICLE 8

The Roumanian Government and High Command undertake not to permit the export or expropriation of any form of property (including valuables and currency) belonging to Germany, Hungary or to their nationals or to persons resident in their territories or in territories occupied by them without the permission of the Allied (Soviet) High Command. They will keep this property in such manner as may be prescribed by the Allied (Soviet) High Command.

ARTICLE 9

The Roumanian Government and High Command undertake to hand to the Allied (Soviet) High Command all vessels belonging or having belonged to the United Nations which are located in Roumanian ports, no matter at whose disposal these vessels may be, for the use of the Allied (Soviet) High Command during the period of the war against Germany and Hungary in the general interests of the Allies, the vessels subsequently to be returned to their owners.

The Roumanian Government bear full material responsibility for any damage or destruction of the afore-mentioned property until the moment of transfer of this property to the Allied (Soviet) High Command.

ARTICLE 10

The Roumanian Government must make regular payments in Roumanian currency required by the Allied (Soviet) High Command for the fulfilment of its functions, and will in case of need ensure the use in Roumanian territory of industrial and transportation enterprises, means of communication, power stations, enterprises and installations of public utility, stores of fuel, fuel oil, food and other materials, and services in accordance with instructions issued by the Allied (Soviet) High Command.

Roumanian merchant vessels, whether in Roumanian or foreign waters, shall be subject to the operational control of the Allied (Soviet) High Command for use in the general interest of the Allies. (See Annex to Article 10).

ARTICLE 11

Losses caused to the Soviet Union by military operations and by the occupation by Roumania of Soviet territory will be made good by Roumania to the Soviet Union, but, taking into consideration that Roumania has not only withdrawn from the war but has declared war and in fact is waging war against Germany and Hungary, the parties agree that compensation for the indicated losses will be made by Roumania not in full but only in part, namely, to the amount of 300,000,000 United States dollars, payable over 6 years in commodities (oil products, grain, timber products, sea-going and river craft, sundry machinery, etc.).

Compensation will be paid by Roumania for losses caused to property of other Allied States and their nationals in Roumania during the war, the amount of compensation to be fixed at a later date. (See Annex to Article 11).

ARTICLE 12

The Roumanian Government undertake within periods indicated by the Allied (Soviet) High Command to return to the Soviet Union in complete good order all valuables and materials removed from its territory during the war, belonging to the State, public and cooperative organizations, enterprises, institutions or individual citizens, such as factory and works equipment, locomotives, railway trucks, tractors, motor vehicles, historic monuments, museum valuables and any other property.

ARTICLE 13

The Roumanian Government undertake to restore all legal rights and interests of all the United Nations and their nationals in Roumanian territory as they existed before the war and to return their property in complete good order.

ARTICLE 14

The Roumanian Government and High Command undertake to collaborate with the Allied (Soviet) High Command in the apprehension and trial of persons accused of war crimes.

ARTICLE 15

The Roumanian Government undertake immediately to dissolve all pro-Hitler organizations (of a Fascist type) situated in Roumanian territory whether political, military or para-military, as well as other organizations conducting propaganda hostile to the United Nations, in particular to the U.S.S.R., and will not in future permit the existence of organizations of that nature.

ARTICLE 16

The printing, importation and distribution in Roumania of periodical and non-periodical writings, the presentation of theatrical performances and films, the work of wireless stations, posts, telegraphs, telephones shall be carried out in agreement with the Allied (Soviet) High Command. (See Annex to Article 16).

ARTICLE 17

Roumanian Civil Administration is restored in the whole area of Roumania separated by not less than 50-100 kilom. (depending upon conditions of terrain) from the front line, Roumanian administrative bodies undertaking to carry out,

in the interests of the re-establishment of peace and security, instructions and orders of the Allied (Soviet) High Command issued by them for the purpose of securing the execution of these Armistice terms.

ARTICLE 18

An Allied Control Commission will be established, which will undertake until the conclusion of peace the regulation of and control over the execution of the present terms under the general direction and orders of the Allied (Soviet) High Command acting on behalf of the Allied Powers. (See Annex to Article 18).

ARTICLE 19

The Allied Governments regard the decision of the Vienna Award regarding Transylvania as null and void and are agreed that Transylvania (or the greater part thereof) should be returned to Roumania subject to confirmation at the peace settlement. The Soviet Government agree that Soviet forces shall take part for this purpose in joint military operations with Roumania against Germany and Hungary.

ARTICLE 20

The present terms come into force at the moment of their signing.

Done in Moscow, in four copies, each in Russian, English and Roumanian languages, the Russian and English texts being authentic.

By authority of the Governments of the United Kingdom, the United States of America and of the Union of Soviet Socialist Republics:

MALINOVSKI

By authority of the Government and High Command of Roumania:

L. PATRASCANU
D. DAMANCEANU
B. STIRBEY
G. POPP

12th September, 1944.

ANNEXES TO THE ARMISTICE AGREEMENT

A.—ANNEX TO ARTICLE 2

The measures provided for in Article 2 of the Agreements regarding the internment of citizens of Germany and Hungary now in Roumanian territory do not extend to citizens of those countries who are of Jewish origin.

B.—ANNEX TO ARTICLE 3.

As part of the co-operation of the Roumanian Government and High Command of Roumania mentioned in Article 3 of the Agreement, is to be understood the placing at the disposal of the Allied (Soviet) High Command for use at its discretion during the armistice of all Roumanian military, air and naval constructions and installations, ports, harbours, barracks, warehouses, airfields, means of communication and meteorological stations which might be required for military needs, in completely good order and with the personnel required for their maintenance.

C.—ANNEX TO ARTICLE 10.

The Roumanian Government will withdraw and redeem within such time limits and on such terms as the Allied (Soviet) High Command may specify, all holdings in Roumanian territory of currencies issued by the Allied (Soviet) High Command, and will hand over the currency so withdrawn free of cost to Allied (Soviet) High Command.

D.—ANNEX TO ARTICLE 11.

The basis for settlements of payment of compensation provided for in Article 11 of the Agreement will be the American dollar at its gold parity on the day of the signing of the Agreement, i.e., 35 dollars for one ounce of gold.

E.—ANNEX TO ARTICLE 16.

The Roumanian Government undertake that wireless communication, telegraphic and postal correspondence, correspondence done in cypher and courier correspondence, as well as telephone communication with foreign countries on the part of Embassies, Legations and Consulates situated in Roumania will be conducted in the manner laid down by the Allied (Soviet) High Command.

F.—ANNEX TO ARTICLE 18.

Control over the exact execution of the Armistice terms is entrusted to the Allied Control Commission to be established in conformity with Article 18 of the Armistice Agreement.

The Roumanian Government and its organs shall fulfil all the instructions of the Allied Control Commission arising out of the Armistice Agreement.

The Allied Control Commission will set up special organs or sections, entrusting them respectively with the execution of various functions. In addition, the Allied Control Commission may have its officers in various parts of Roumania. The Allied Control Commission will have its seat in the city of Bucharest.

Moscow, 12th September, 1944.



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II

ANNEXES TO THE ARMISTICE AGREEMENT

PROTOCOL TO THE ARMISTICE AGREEMENT

On the occasion of the signing of an Armistice with the Government of Roumania, the Allied Governments signatory thereto are agreed:

1. That paragraph 1 of Article 5 of the Armistice Agreement defines the obligations undertaken by the Roumanian Government in regard to the surrender to the Allied Authorities of Allied prisoners of war and Allied citizens interned in or forcibly removed to Roumania. Each Allied Government shall decide which of its nationals shall or shall not be repatriated.
2. That the term "war material" used in Article 7 shall be deemed to include all material or equipment belonging to, used by or intended for the use by, enemy military or para-military formations or members thereof.
3. That the use by the Allied (Soviet) High Command of Allied vessels handed back by the Government of Roumania in accordance with Article 9 of the armistice and the date of their return to their owners will be matters for discussion and settlement between the Allied Governments concerned and the Government of the Soviet Union.

Done in Moscow in three copies, each in the English and Russian languages, both English and Russian texts being authentic.

*By authority of the By authority of the By authority of the
Government of the Government of the Government of the
United Kingdom: United States of Union of Soviet
Archibald Clark America: Socialist Republics:*

Kerr W. A. Harriman A. Y. Vyshinski

12th September, 1944.