

## ARMISTICE WITH ROMANIA<sup>1</sup>

*Agreement, with annex and protocol, signed at Moscow September 12,  
1944*

*Entered into force September 12, 1944*

59 Stat. 1712; Executive Agreement Series 490

### AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE SOVIET UNION, AND THE UNITED KINGDOM ON THE ONE HAND AND THE GOVERNMENT OF RUMANIA ON THE OTHER CONCERNING AN ARMISTICE

The Government and High Command of Rumania, recognizing the fact of the defeat of Rumania in the war against the Union of Soviet Socialist Republics, the United States of America, and the United Kingdom, 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.

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

1. As from August 24, 1944, at 4 a. m., Rumania 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entirely discontinued military operations against the Union of Soviet Socialist Republics on all theatres of war, has withdrawn from the war against the United Nations, has broken off relations with Germany and her satellites, has entered the war and will wage war on the side of the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 Rumanian independence and sover-

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<sup>1</sup> A treaty of peace with Romania (TIAS 1649, *post*, vol. 4) was signed Feb. 10, 1947, and entered into force Sept. 15, 1947.

eighty, for which purpose she provides not less than 12 infantry divisions with Corps Troops.

Military operations on the part of Rumanian armed forces, including Naval and Air Forces, against Germany and Hungary will be conducted under the general leadership of the Allied (Soviet) High Command.

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

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

4. The State frontier between the Union of Soviet Socialist Republics and Rumania, established by the Soviet-Rumanian Agreement of 28th June, 1940, is restored.

5. The Government and High Command of Rumania will immediately hand over all Soviet and Allied prisoners of war in their hands, as well as interned citizens and citizens forcibly removed to Rumania, to the Allied (Soviet) High Command for the return of these persons to their own country.<sup>2</sup>

From the moment of the signing of the present terms and until repatriation the Rumanian 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 the return of all these persons to their own country.

6. The Rumanian Government will immediately set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favor 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.

7. The Rumanian 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 on Rumanian territory, including vessels of the fleet of Germany and her satellites located in Rumanian waters.<sup>2</sup>

8. The Rumanian Government and High Command undertake not to permit the export or expropriation of any form of property (including valu-

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<sup>2</sup> For understandings relating to arts. 5, 7, and 9, see protocol, p. 906.

ables and currency) belonging to Germany, Hungary or to their nationals or to persons resident in their territories or in the 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.

9. The Rumanian Government and High Command undertake to hand over to the Allied (Soviet) High Command all vessels belonging or having belonged to the United Nations which are located in Rumanian 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, these vessels subsequently to be returned to their owners.<sup>2</sup>

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

10. The Rumanian Government must make regular payments in Rumanian currency required by the Allied (Soviet) High Command for the fulfillment of its functions and will in case of need ensure the use on Rumanian 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, services in accordance with instructions issued by the Allied (Soviet) High Command.

Rumanian merchant vessels, whether in Rumanian 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.)

11. Losses caused to the Soviet Union by military operations and by the occupation by Rumania of Soviet territory will be made good by Rumania to the Soviet Union, but, taking into consideration that Rumania 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 Rumania not in full but only in part, namely to the amount of 300 million United States dollars payable over six years in commodities (oil-products, grain, timber products, seagoing and river craft, sundry machinery, *et cetera.*)

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

12. The Rumanian Government undertakes within the 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 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.

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

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

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

16. The printing, importation and distribution in Rumania of periodical and non-periodical literature, the presentation of theatrical performances and films, the work of wireless stations, post, telegraph and telephone shall be carried out in agreement with the Allied (Soviet) High Command. (See Annex to Article 16.)

17. Rumanian civil administration is restored in the whole area of Rumania separated by not less than 50-100 kilometres (depending upon conditions of terrain) from the front line, Rumanian administrative bodies undertaking to carry out, in the interests of the reestablishment 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.

18. An Allied Control Commission will be established which will undertake until the conclusion of peace<sup>3</sup> 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.)

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 Rumania, subject to confirmation at the peace settlement,<sup>3</sup> and the Soviet Government agrees that Soviet forces shall take part for this purpose in joint military operations with Rumania against Germany and Hungary.

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

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<sup>3</sup> See footnote 1, p. 901.

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

*September 12, 1944.*

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

MALINOVSKI  
[SEAL]

By authority of The Government and High Command of Rumania.

LUCRETIU PATRAȘCANU  
GL. ADJ. DAMACEANU  
B. STIRBEY  
GH. POPP

[SEAL]

ANNEX TO THE ARMISTICE AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE SOVIET UNION, AND THE UNITED KINGDOM ON THE ONE HAND AND THE GOVERNMENT OF RUMANIA ON THE OTHER HAND

*A. Annex to Article 2*

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

*B. Annex to Article 3*

Under cooperation of the Rumanian Government and High Command of Rumania, mentioned in Article 3 of the Agreement, is understood the placing at the disposal of the Allied (Soviet) High Command for use at its discretion during the Armistice all Rumanian military, air and naval constructions and installations, ports, harbors, barracks, warehouses, airfields, means of communication, meteorological stations which might be required for military needs in complete good order and with the personnel required for their maintenance.

*C. Annex to Article 10*

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

*D. Annex to Article 11*

The basis for settlements of payment of compensation provided for in Article 11 of the present Agreement will be the American dollar at its gold parity on the day of signing of the Agreement, i. e., 35 dollars for 1 ounce of gold.

*E. Annex to Article 16*

The Rumanian Government undertakes that wireless communication, telegraphic and postal correspondence, correspondence in cypher and courier correspondence, as well as telephonic communication with foreign countries of Embassies, Legations and Consulates situated in Rumania, 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 Rumanian Government and their organs shall fulfill all 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 Rumania.

The Allied Control Commission will have its seat in the city of Bucharest.

Moscow:

*September 12, 1944.*

PROTOCOL TO THE ARMISTICE AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED KINGDOM, ON THE ONE HAND, AND THE GOVERNMENT OF ROUMANIA, ON THE OTHER HAND

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

1. 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 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.

*12th September, 1944.*

By authority of the  
Government of the  
United States of America

W. A. HARRIMAN

[SEAL]

By authority of the  
Government of the  
Union of Soviet Socialist  
Republics

A. VYSHINSKY

[SEAL]

By authority of the  
Government of the  
United Kingdom

ARCHIBALD CLARK KERR

[SEAL]