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**The Armistice Convention Dated September 12th, 1944 and the
Repatriation of the Romanian Prisoners from the U.S.S.R. in International
Relation**

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Abstract: The differences of opinion between the Romanian government and the Soviet representatives from the Allied (Soviet) Control Commission would highlight the mistrust of both parties in the possibility of solving the problems deriving from their own application and interpretation of the Armistice Convention text.

Keywords: Armistice Convention; unconditional surrender; surrender conditions; Romanian prisoners; allied prisoners

The Armistice Convention concluded between Romania, on the one hand and the United Nations, on the other hand, was not the document long waited by the Romanian authorities and opposition during the secret negotiations in Cairo, Ankara or Stockholm, according to many Romanian politicians. The “unconditional surrender” formula, adopted on January 24th, 1943, in Casablanca, would have as purpose preparing the governments of the states at war with the United Nations on the treatment and conditions their countries would be subjected to, regardless of the moment and causes that would lead to their exit from the battle.

The surrender conditions meant for Romania, among other things, the demobilization and disarmament, the handing over of war material, damages, etc., all of which would be imposed upon the will of the three Great Powers, being “mainly designed to ensure security and to continue the war against Germany, objectives that were considered to have important political implications”². Romania’s international political position in the first days after the palace coup on August 23rd and after changing sides against Germany was that of an “independent state that led a war against its former allies, on its former enemies’ side” (Deletant, 1997, p. 40), having a share of the territory occupied from military point of view. When entering Bucharest, the Soviet army would find an independent government capable and willing to sign the armistice, having as its main strengths the neutralization of the German troops by their own means and the liberation of an important part of the national territory (Quinlan, 1995, pp. 98-99). If the Soviets had had some other plans (Șperlea, 1997, p. 47) with Romania (Duțu, Dobre & Loghin, 1997, pp. 198-201), they would be tangled by the action of King Mihai, who had managed to change the course of events by arresting the marshal himself. The intention of the new Romanian authorities was to sign the

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² See (23 august 1944. Documente/23 August 1944. Documents, vol 1, pp. 66-70).

agreement with the United Nations as soon as possible, in order to avoid placing the entire country under the control and military occupation of the Red Army.

The task of the new government was even more pressing as the Soviet armies, especially their leaders, treated the country as a territory occupied by fights. And the Soviets wanted, in a first phase, to speed up the end of the armistice, aware of the strategic advantage achieved through directly threatening Hungary in what was called “the most important translation of fronts in the history of the Second World War”. Later on, when the situation would change, the Russian troops already occupying the entire Romanian territory, the Soviet government would realize the advantages of having military control over Romania and the Soviet rush to end the ceasefire would slow down.

The allied proposals of armistice was founded on the April conditions offered to Romania, reaffirmed on August 25th by Molotov’s statement, the Foreign Affairs Commissioner of the U.S.S.R. Their discussion was to be held in Moscow (Quinlan, 1995, p. 102) the Soviets having the main say in the negotiations with the Romanian delegation¹.

Shortly after August 23rd, the representatives of the United States, Great Britain and the Soviet Union would urgently prepare for the completion and signature of the armistice, based on the text already approved in April 1944 (Bărbulescu, Deletant, Hitchins, Papacostea & Pompiliu Teodor, 1999, p. 469). The discussions would entail some clarifications and annotations of the draft (Deletant, 1997, p. 40) armistice agreement, therefore the final text would be ready to be made known to the Romanian party only on September 10th, 1944 (Ciachir, 1996, p. 314).

The Romanian authorities would prepare in detail for the signing of the Armistice, sending for this purpose a delegation to Moscow, composed of Lucrețiu Pătrășcanu, Ghiță Pop, Dumitru Dămăceanu, Ion Christu, specialists in economic and international law. Unfortunately, the contents of the discussions held in Moscow by the representatives of the Romanian and Allied governments was not in the least like a negotiation of the proposed conditions, the Romanian side coming up with objections to various problems, but which would mostly be ignored by the Soviet Prime Minister, V. Molotov, the Allied chief negotiator.

In spite of the Soviet refusal to make concessions, the Anglo-Americans would conclude that “the Romanians left with the feeling that they have escaped very easily”, the more important problems seeming to be the way in which “the terms and conditions of the armistice will be interpreted and applied - by the Soviets”. (Quinlan, 1995, p. 106) The practice of applying the Armistice Convention, signed on September 12th, 1944, would prove how well founded the concerns of the Romanian delegation were, which had been informed by that time, through the specific instructions sent by the Government of Bucharest, on the behavior of the Soviet troops, as well as the treatment applied to the civilian and military authorities or to the civilian population. Assessing the importance of Romania’s participation in the war, the Romanian authorities would do their best to establish as soon as possible the bases of the future cooperation with the Red Army commandment structures. In this respect, the Romanian Great General Staff would issue a document entitled “Detail Rules for the Cooperation with the Soviet Army”².

Unfortunately, the signing of the Armistice Convention on September 12th, 1944, would formalize the subordination of the operative Romanian army, which provided in the first article that “the military operations of the Romanian armed forces, including the naval and air forces, against Germany and

¹ Ibidem. The discussions between the British, Russians and the Americans on the basis of the armistice project would extend far beyond expectations, the Allies hardly agreeing to some provisions of the Armistice Convention text.

² Archive of the Ministry of National Defense, case 948, p. 856, p 124.

Hungary, will be conducted under the general leadership of the Allied (Soviet) High Command”¹. The supervision of the implementation of the Armistice provisions would be entrusted to the Allied (Soviet) Control, Commission, acting under the orders of the same allied commandment (Quinlan, 1995, p. 107).

The attitude of Sănătescu Government on discussing the issue of the Romanian prisoners and deportees during the war, on the occasion of the negotiation of the armistice, would be categorical, the instructions given to the members of the Romanian delegation who were to leave for Moscow, particularly beyond debate, aiming at making all the necessary steps for their release.

The Minister of Foreign Affairs, Grigore Niculescu-Buzești, told the Romanian Mission in Ankara on August 28th that “the Romanian government has taken note with satisfaction of Molotov’s statement of August 25th”, but a mandatory condition for the above was that “Romanian troops should not be disarmed and those disarmed so far be rearmed and made available to the Romanian government for its action against Germany”². The indications of the Romanian minister also took into account the situation of the Romanian fleet in Constanța port. The above had not been regulated even on September 1st, when the Romanian Foreign Affairs Minister telegraphed the same Legations of Ankara, informing the regime on the occupation established by the Red Army and on the delay in establishing a direct contact with the Soviet Commandments³.

Regarding the situation of the Romanian troops, it was mentioned that “the disarmament, although it does not happen en mass, continues, however, in some places”, the measures taken by the Red Army representing harm brought to the sovereignty and independence of the country⁴. The subject would be obsessively restored to the attention of and in the messages sent by Bucharest authorities to the Romanian delegation. While further illustrating the difficulties in establishing a positive dialogue with the Soviet army command structures that continued to impose an occupation regime, the Romanian government recalled its desire to make every effort to comply with the Soviet declaration of August 25th. Showing the importance of the role played by the Romanian army on August 23rd, it was urgently required to solve the problem of the Romanian soldiers captured on the Moldovan front after August 23rd, necessary for the joint war effort against the German-Hungarian troops which were going to develop an imminent offensive against Romania. Although the operative capacity of the Red Army was not to be questioned, the return of Romanian troops would give a new impulse and raise the morale of the Romanian soldiers and officers, this way Romania helping the United Nations more effectively. With regard to the disarmament of the Romanian troops, it was mentioned that “there was an agreement with General Tolbukhin, who said they would not be repeated”. Unfortunately, the Romanian authorities’ information highlighted the fact that these were still taking place, especially in some regions of Muntenia, the Romanian government expressing the hope that all these problems would be solved once the Armistice documents, ever deferred, were signed⁵.

The commanding structures of the Romanian Army, namely the Great General Staff through its leader, General Gheorghe Mihail, would pay special attention to the issue in question, acting in the sense desired by the Romanian side shortly after the events of August 23rd. Through his representative in the Romanian Delegation, General Dumitru Dămăceanu, the Chief of the Great General Staff, would raise the issue of

¹ See the complete text of the Armistice Convention in Romania, marele sacrificat al celui de doilea război mondial. Documente/Romania, the great sacrifice of the Second World War. Arhivele Statului România (Archives of the Romanian State), Bucharest, 1994, vol I, pp. 311-314.

² MFA Arch., case 71/1920-1944, Turkey, Telegrams, Ankara, pp. 134-135.

³ Ibidem, vol VIII, p. 186.

⁴ Ibidem. Obviously, this parenthesis was nothing but a repetition of those stated in the telegram dated August 28th, the instructions on raising the mentioned problem remaining still valid.

⁵ Ibidem, p. 241.

the delicate situation of the Romanian troops interned by the Soviet army in the Moldovan prison camps¹. Summing up the steps taken by the Soviet military authorities in the period previous to signing the Armistice Convention², the Great General Staff would inform all Romanian troops that “it has made every effort to recover the officers and the troop disarmed after August 23rd and imprisoned by the Soviets in an arbitrary manner”³.

The arrival of the Romanian delegation in Moscow would not automatically coincide with the moment of signing the armistice, its contents being presented in final form only on September 10th, 1944, unreasonably late, the preliminary discussions making possible the signing of the Convention only on September 12th (Ciachir, 1996, p. 319).

On the occasion of the Armistice negotiations, the Romanian side would address the issue of the Romanian POWs taken by the Red Army on the Moldovan front. The delegation requested on behalf of Bucharest Government to end the disarmament by the Red Army, arguing that on August 24th, at 4 a.m., the Romanian Great General Staff issued the cease-fire order against the Soviet army and the official state of war was proclaimed publicly by the Romanian government on August 25th (Duțu, 1997, p. 227).

Although the armistice had not been signed until that moment, in the opinion of the Romanian representatives, the Romanian troops could keep their armament, effectively fighting against the German army at that time. The disarmament and the internment of the Romanian army soldiers and officers did not serve in any way to the common cause, so “the disarmed Romanian troops must be rearmed as soon as possible in order to allow them to participate in the operations against Germany” (Oșca & Chirițoiu Mircea, 1995, p. 12). Of course, the Romanians also had in mind the Romanian crews from the Danube Delta and the Black Sea, bound to surrender after the Soviet fleet commandment’s ultimatum⁴.

Reasoning the validity of the Romanian proposals, the Romanian military representative, General Dumitru Dămăceanu, would insist upon the precariousness of the strategic situation of the Romanian army, which at that time had only “one armed division, the others being organized for inland and in what concerns the divisions withdrawn from Moldova, their weaponry was captured by the U.S.S.R.”⁵. There were mentioned the cases of the 5th, 6th and 7th Army Corps disarmed by the Soviets after August 23rd, proposing the return of the armament, with the aim of arming again the 12 Romanian divisions required for the Western Front, according to the provisions of the Armistice Convention⁶.

Concerning the Romanian prisoners found in U.R.S.S. from the beginning of the war and until the end of the hostilities between the Romanian and Soviet armies, the members of the Romanian delegation would propose concrete solutions for solving the problem. Although it admitted that it was not about a precise commitment on the part of the Soviet government to rearm them, the Romanian delegation pointed out that this would be in the interest of the fight against Germany and would help to more

¹ Archive of the Ministry of National Defense, Great General Staff case, Section III, p. 2876, p. 23. The instructions given to the freshly promoted in rank, General Dumitru Dămăceanu, issued since August 27th, aimed at “the restitution of the Romanian troops in an unoccupied area”.

² *Ibidem*, case 948, p. 1478, p. 244.

³ *Ibidem*, pp. 205-206.

⁴ *Ibidem*.

⁵ See (Stenograma ședințelor de încheiere a armistițiului între Puterile Aliate și România (The verbatim report on the meeting for concluding the armistice between the Allied Powers and Romania. România, marele sacrificat al celui de al doilea război mondial, Arhivele Statului (States’ Archives)/ Romania, the great sacrifice of the Second World War, Bucharest, 1994, pp. 297-309.

⁶ *Ibidem*.

effectively fulfil the provisions of the Armistice Convention by the Romanian side¹. Declining its agreement, the Soviet side would consider that the problem lied within the military technicians' competence, not being timely, despite the insistence of the Romanian representatives².

From reading V. M. Molotov's conversation notes regarding the reception of the Romanian delegation on signing the armistice, it is clear that the Soviet side was aware of the fact that the Romanian servicemen were fully prepared to solve the military problems. This would be denied by the Soviet Prime Minister, who argued that "the war has been going on for three years, and now it takes a few weeks for moving to the new conditions"³. The Soviet dignitary reckoned that for military reasons, the proposals of the Romanian delegation would be analyzed and solved "as long as the Romanian government will engage in the battle against the Germans"⁴.

Obviously, the Soviet position in the negotiations gave the possibility of blackmailing the Romanian party by repeatedly postponing the settlement of the Romanian demands according to the conditions that would follow from signing the Armistice⁵, i.e. sine die (emphasis added, Ș.Gh).

The return of the Romanian delegation to the country, after signing the Armistice, would occasion virulent discussions both within the Council of Ministers and at political parties' level. While the Communist Party appreciated the "generous" conditions offered to Romania, the leaders of the historical parties were more skeptical about the Soviet Union's application and interpretation of the Armistice Convention text⁶.

At the discussions held with the members of the Romanian delegation, General Dumitru Dămăceanu would confirm that he dealt specifically with the issue of the Romanian POWs. His proposals aimed at their delimitation into two categories: one of those captured from June 22nd, 1941, until August 24th, 1944, and the second category, of those captured after August 24th, 4.00 hours. The requests made by the Romanian serviceman were aimed at "returning the Romanian prisoners taken before August 23rd in a small amount of time and secondly, returning all Romanian units and formations, including the war ships from the Danube and the Sea, captured and disarmed after August 24th, 1944, 4.00 hours, with all the equipment, materials and their deposits" (Duțu, 1996, p. 47). The answers received by the Romanian from his military counterparts, Allies' representatives, also suggested that the problem would be solved "depending upon Romania's military cooperation in the fight against the German and Hungarian forces"⁷. As a result, the Armistice Convention dated September 12th, 1944, would contain no provision regarding the status of the Romanian POWs interned by the Soviet Union, referring only to the "return of allied prisoners" captured by the Romanian army. The Convention's role would be to destroy the

¹ The issue of repatriation or of the release of the Romanian servicemen captured by the Soviets before and after August 23rd would be the object of discussions from international law perspective during the Paris Peace Conference in February 1947 at the earliest, while Romania committed to return all Allied prisoners captured by the Romanian army by signing the Armistice. The goodwill gesture of repatriating the Romanian prisoners, requested by the Romanian side, would be made by the Soviet Union after the Communist-controlled government of Petru Groza took over the power March 6th, 1945.

² Ibidem.

³ Misiunile lui A.I. Vășinski în România. Documente secrete, Institutul Național Pentru Studiul Totalitarismului/ Secret documents, National Institute for the Study of Totalitarianism, Bucharest, 1997, p. 66.

⁴ Ibidem. We mention that at that time, the Romanian government had been already fully involved in the war effort against the German troops stationed in the country, and moreover, the Romanian army had succeeded in neutralizing the main German forces alone, opening the road for the Red Army, while it disarmed and imprisoned the Romanian troops from the front line, troops that had ceased hostilities against the Red Army.

⁵ Ibidem.

⁶ See in detail the verbatim reports of the Council of Ministers of September 1st and 16th, 1944, on the discussions related to signing the Armistice Convention, Stelian Neagoe, pp. 57-77.

⁷ Ibidem.

effects of the coup on August 23rd, 1944, which seriously threatened Kremlin's intentions with regard to Romania's future post-war status.

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