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By EE NARA Date 10/4/67SECRETCOPY NO. 20SWNCC 244/312 February 1946Pages 34 - 67, incl.STATE-WAR-NAVY COORDINATING COMMITTEETREATIES OF PEACE WITH RUMANIA, BULGARIA AND HUNGARYReferences: a. SWNCC 244
b. SWNCC 244/1
c. Item 6, Minutes
35th Meeting,
d. SWNCC 244/2/DNote by the Secretaries

1. The enclosure, a revision of SWNCC 244 by the ad hoc Committee to draft articles for the treaties of peace with Rumania, Bulgaria, and Hungary in response to reference d, is circulated for consideration by the Committee.

2. A copy of this paper has been forwarded to the Joint Chiefs of Staff for their comment from a military point of view. These comments will be circulated to the Committee upon receipt thereof from the Secretary, Joint Chiefs of Staff.

ALEXANDER D. REID

B. L. AUSTIN

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Secretariat

SWNCC 244/3

S E C R E TE N C L O S U R ETREATIES OF PEACE WITH RUMANIA, BULGARIA AND HUNGARYReport of ad hoc Committee on Military, Naval and Air ClausesTHE PROBLEM

1. To draft military, naval and air clauses for the Treaties of Peace with Rumania, Bulgaria and Hungary which fulfill the objectives of the United States from the military and political points of view.

FACTS BEARING ON THE PROBLEM

2. See Appendix "A".

DISCUSSION

3. See Appendix "B".

CONCLUSIONS

4. The armed forces of Rumania, Bulgaria and Hungary will not in themselves represent a direct threat to the security of the United States. However, in order to prevent them from engaging in another war, to restrict the maintenance of their armed forces to a minimum for internal security and local defensive requirements and to preclude their rendering substantial assistance to any enemy with which they might become allied, specific limitations on their armies and air forces and general limitations on the Rumanian and Bulgarian navies should be included in the respective peace treaties.

5. The rehabilitation and operation of armaments, armament industries and military training in Rumania, Bulgaria and Hungary should be limited consonantly to the same purposes to which the armed forces are restricted.

6. Demilitarization of fortifications and military installations should be consonant with the restrictions imposed upon the armed forces, armaments, and armament industries.

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7. A verification Commission of limited scope and duration, to ensure initial fulfillment of treaty provisions, composed of representatives of each of the signatory governments should be established.

RECOMMENDATIONS

8. That the drafts of the military, naval, and air clauses, attached hereto as Appendices "C", "D" and "E" be approved for incorporation into the American proposals for treaties of peace with Rumania, Bulgaria and Hungary respectively.

S E C R E TAPPENDIX "A"FACTS BEARING ON THE PROBLEM

1. Rumania and Hungary entered the war on the side of Germany against the Soviet Union in June 1941. Rumania, Bulgaria and Hungary declared war on the United States and Great Britain in December 1941. Hungary had previously associated itself with German aggression against Czechoslovakia and Yugoslavia and had acquired territory of those two states. Bulgaria had associated itself with German aggression against Yugoslavia and Greece and had acquired territory of those two states.
2. The association of Rumania, Bulgaria and Hungary with Germany in the war took place while those states had pro-Nazi regimes and were under a greater or less degree of German domination. When President Roosevelt finally sent a message to Congress on June 2, 1942, requesting declarations of war by the United States on those three countries, he stated: "I realize that the three Governments took this action not upon their own initiative or in response to the wishes of their own peoples but as the instruments of Hitler."
3. With the Russian advance into the Balkans in August and September 1944 Rumania and Bulgaria surrendered to the United Nations simultaneously overthrowing their pro-Nazi governments. Rumania and Bulgaria signed armistice terms on September 12 and October 28 respectively. After the invasion of Hungary by the Soviet Army, a provisional government set up in the Soviet-occupied part of the country signed armistice terms with the United Nations on January 20, 1945.
4. The armistice terms signed by the three states in question were roughly similar in nature. They did not provide for unconditional surrender or complete occupation. These states were not, however, recognized as co-belligerents of the United

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Nations, although their armies, in accordance with the armistice terms, took part in the war against Germany. The war ended before Hungary was able to put an effective army into the field. The Rumanian and Bulgarian Armies made an effective contribution to the military campaign against Germany.

5. Rumania, Bulgaria and Hungary, after their surrender, continued to be regarded, technically, as enemy states. However, there has been no inclination on the part of the principal Allied Powers to place them in the same category as Germany and Japan. They are regarded as having been the victims of duress exerted by the Axis more or less and have been given the opportunity to work their passage home and eventually regain a status of equality in the international community.

6. Rumania broke relations with Japan on October 31, 1944, and Bulgaria did the same on November 9. The Provisional Government of Hungary never maintained diplomatic relations with any Axis states, and thus took no steps with regard to Japan; it did, however declare war on Germany on December 26, 1944.

7. In the Crimea Declaration on Liberated Europe, issued on February 12, 1945, the Governments of the Union of Soviet Socialist Republics, the United Kingdom, and the United States agreed to concert their policies in assisting the peoples of the former Axis satellite states in Europe to solve by democratic means their pressing political and economic problems, and in particular to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people.

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8. In the Potsdam communique of August 2, 1945 the Governments of the Union of Soviet Socialist Republics, the United Kingdom and the United States of America stated that they considered it desirable "that the present anomalous position of ... Bulgaria; ... Hungary and Rumania should be terminated by the conclusion of peace treaties," and that the conclusion of such treaties with recognized democratic governments would enable the three Allied Governments to support the applications of those states for membership in the United Nations.

9. The developments outlined in the preceding paragraphs indicate that the principal United Nations have not had the intention of imposing primarily punitive peace terms on the former Axis satellite states. The Department of State has indicated its view that these treaties should in general follow the principles and pattern of the proposed treaty of peace with Italy. The political directive respecting Italy circulated in SWNCC 155 is in part as follows:

The general policy of this (U.S.) Government is to assist and encourage the conversion of Italy into a stable, peaceful and constructive element among the nations of Europe.....Italy should be encouraged to look primarily to the International Security organization for her security in the future....The general formula is therefore "partial disarmament with permission of limited forces."

10. At the Council of Foreign Ministers in London (September 1945) the United States Delegation submitted memoranda on the subject of the peace treaties with Rumania and Bulgaria, in which it was proposed that the military establishments of those two states should be limited to the following defensive purposes; (a) maintenance of internal order; (b) local frontier defense; (c) such military contingents, if any, in addition to the foregoing as might be required by the Security Council. The Soviet

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Delegation proposed that no restrictions be placed on the armed forces of Rumania and Bulgaria. The United Kingdom Delegation proposed that specific ceiling limitations be imposed and that provision be made for an inspectorate to enforce them. After some discussion the Council adopted the United States proposals as the basis for detailed study by the Deputies. The latter were also to study the question of enforcement machinery.

No proposals were made concerning Hungary.

11. At the Moscow Conference of Foreign Ministers (December 1945) it was decided that the American, British and Soviet Deputies should undertake immediately in London the preparation of draft peace treaties for Rumania, Bulgaria and Hungary for submission to a conference to be convoked by the Council of Foreign Ministers not later than May 1, 1946, for the purpose of considering the treaties of peace. It was also decided at Moscow that measures would be taken for the reorganization of the governments of Rumania and Bulgaria, and that the completion of this agreed procedure would be followed by the recognition of the Rumanian and Bulgarian Governments by the United States and United Kingdom, a step which would make possible the conclusion of peace treaties with Rumania, Bulgaria and Hungary as envisaged by the Berlin agreement of August 2, 1945.

12. In the discussions taking place at the current meeting of the Deputies, Council of Foreign Ministers, in London, the question of the limitations, in numbers, in character, and in equipment, to be imposed on the Italian army and air force are being considered by a committee appointed for the purpose. In all probability a similar procedure will be followed respecting limitation of naval forces.

S E C R E TAPPENDIX "B"DISCUSSION

1. The principal United States objectives in drafting the peace treaties with Rumania, Bulgaria and Hungary should be to take all measures practicable to prevent them from engaging in another war, to restrict maintenance of their armed forces to a minimum for internal security and defensive requirements and to preclude as far as possible their being again allied with any nation against the United States, or, if such alliance is nevertheless effected, to minimize their contribution to the enemy effort.
2. It is to the interest of the United States to see established in the Danubian-Balkan area peaceful and stable relations among all states, the three ex-satellites as well as the Allied states. It is also to our interest that the states of this region should maintain friendly relations with the Union of Soviet Socialist Republics, but that they should not be subjected to Soviet domination or exclusive influence. These interests would appear to be best served by peace treaties which do not stimulate or perpetuate traditional conflicts and antagonisms or contribute to the formation of blocs among these nations in such a form as would impair stability within the Danubian-Balkan region or threaten the security of other states.
3. Rumania, Bulgaria and Hungary should be brought into the United Nations as soon as is feasible. While the principal United States objectives mentioned above may ultimately be attained within the framework and through the instrumentalities of the United Nations, such objectives must be secured in the peace treaties themselves. Since the proposals of this Government for the political and economic clauses of the treaties will be drafted on that general basis, it is believed that the military,

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naval and air clauses should not be punitive but should lay down certain ceiling limitations in accordance with the general formula (SWNCC 155) for partial disarmament with permission of limited forces. It would be consistent with the political attitude which the United States has adopted toward the three ex-satellite states if the peace treaties were to avoid branding them as past or potential aggressors and would open the way for them to return to the community of nations on a footing of equality.

4. The above policy would be generally consistent with the United States policy on the peace treaty for Italy.

5. The actual or potential military power of Rumania, Bulgaria and Hungary represents no serious threat to the security of this country. Their limitations in manpower, resources and industrial strength should effectively prevent any aggressive action on the part of these states which, in itself, could endanger the security or the vital interests of the United States. While it is not considered that the military strength of one or more of these states added to that of a great power hostile to the United States would be decisive, it must be admitted that control over strategic points within these states and over their resources would represent a significant addition to the war potential of an adjacent great power.

6. With respect to the military, naval and air clauses the peace treaties should restrict the armed forces of Rumania, Bulgaria and Hungary, to ceiling limits as to numbers, character and equipment for defensive purposes, specifically: (1) the maintenance of internal order and security, and (2) the protection of the frontiers against acts of aggression of a local character.

7. As in the case of the armed forces, the armaments and war industries of each state--Rumania, Bulgaria and Hungary--

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should be consonantly restricted to the same purposes. Either manufacture or importation by these states of armaments disproportionate to their respective national forces and discordant with the general purposes for which armed forces are permitted, would be inconsistent with the application of these countries for membership in the UNO and the maintenance of stable conditions conducive to peace and prosperity in Southeastern Europe.

8. The United States should be prepared to suggest the approximate maximum strength which would be regarded as legitimate for the purposes specified in paragraph 6 above. Following the approach taken for the United States alternative military, naval and air clauses* for the Italian Peace Treaty, the minimum requirements for the purposes to which it is proposed military establishments be restricted should be taken as the ceiling limitations. Opinion as to the minimum requirements of each of these countries varies considerably. A compromise of all factors involved--political, military, economic and geographic--indicates a ratio of 3:2:2 for Rumania, Bulgaria and Hungary, respectively. Such a ratio would apply to the ground and air forces only, including, in the case of Hungary, the Hungarian River Forces which have in the past been incorporated in the Army.

a. Utilizing Rumania as the standard, appropriate minimum requirements appear to be:

Ground	100,000
Air	<u>4,000</u>
Total	104,000

* alternative military and air clauses prepared by War Department, September 24, 1945 alternative naval clauses SWNCC 155/2.

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b. Application of the 3:2:2 ratio would then indicate the following strength for the three countries:

	<u>Ground</u>	<u>Air</u>
Rumania	100,000	4,000
Bulgaria	66,000	2,600
Hungary	66,000	2,600

9. Demilitarization of fortifications and military installations should be consonant with the restrictions to be imposed upon the armed forces, armaments, and armament industries of these countries. Any examination of the question of demilitarization of the Black Sea coast of Rumania and Bulgaria should take into account the inequalities such action might entail since other neighboring countries are not similarly compelled to decrease their defenses at this time. Freedom of navigation of international waterways must be preserved and no existing or future fortifications or military installations which might threaten such freedom should be permitted.

10. The peace treaty with Hungary obviously need contain no naval clauses. Neither of the other two ex-satellite states has sufficient resources to build a naval force of any significance; accordingly no specific limitations on tonnage or naval construction need be included in the peace treaties. After Rumania's surrender in August 1944 Rumanian naval vessels at first took part in operations against the Germans under Soviet command, but were later retained under full Soviet control and operation as "war trophies". The Soviet Government has returned some of the less serviceable units to Rumania. It is not considered that the Armistice terms provide a legal justification for the Soviet action. The disposition of the Rumanian warships should be discussed in connection with the peace terms as a matter of reparations and, if retained by the U.S.S.R. their value should properly be credited to Rumania's reparation obligation under the Armistice Agreement.

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11. In line with the restricted purposes authorized for the Rumanian and Bulgarian naval establishments it is believed that all existing submarines should be scrapped and that the acquisition or construction of new submarines should be prohibited.

12. While the proscription of compulsory military training would be desirable as a deterrent to the diversion of the human and economic resources of these states, and an inhibition to the maintenance of armed forces in excess of those authorized, it cannot consistently be proposed if the United States at the same time opposes such a proscription in the case of Italy.

13. Administrative provisions as to repatriation of prisoners of war are required for inclusion in the treaty for the rectification of the prisoner of war matters arising out of the prosecution of the war between the United Nations signatories and each of these states.

14. Provisions for Graves and War Dead matters are required to cover the interests of the United Nations having graves or remains of war dead in these countries. It would be desirable to provide for such arrangements by separate bilateral agreements between each of the United Nations concerned and each of these states, if suitable arrangements can be established and concluded prior to the conclusion of the treaty. Otherwise, general provisions for multilateral application must be included.

15. Verification of treaty compliance is desirable. Difficulties involved in the establishment and operation of any enforcement machinery require that such machinery be limited in scope and duration. Short term verification arrangements appear to be the best compromise between the desires of some nations for rigorous and continuing inspection and the opposition of other nations to any control or supervision whatever. A

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verification Commission of limited scope and duration consisting of representatives of each of the signatory governments should ensure initial fulfillment of treaty provisions.

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By SWNARA Date 10/4/07APPENDIX "C"MILITARY, NAVAL, AND AIR CLAUSES RUMANIA

Article 21

Rumania hereby declares its attachment to the principles, set forth in the Charter of the United Nations, that international disputes shall be settled by peaceful means in such manner that international peace, security and justice are not endangered, and that force shall not be threatened or used against the territorial integrity or independence of any state. Rumania also recognizes the overriding necessity, in the interest of the early rehabilitation of the devastated areas of Europe, that there be a minimum diversion of manpower and economic resources to armaments.

Rumania accordingly subscribes to the principle of the regulation of armaments and proposes to rely primarily for its security upon the arrangements for the maintenance of international peace and security provided under the Charter of the United Nations.

Article 22

For the purpose of regulating the level of its armaments, Rumania agrees that the size, distribution, training, armament and equipment for its armed forces shall be governed by the principles and specific limitations provided in this chapter. When the general system for the regulation of armaments to be formulated under Article 26 of the Charter of the United Nations becomes operative and applicable to Rumania and its adjacent areas, the measures provided under this chapter will be integrate with or superseded by the requirements of the general system.

Article 23

Section I:

1. Rumania undertakes to confine the activities of its ground forces to the (a) maintenance of internal order and (b) the guarding of the frontiers of Rumania against acts of local aggression.

2. Rumania shall be permitted initially to enroll, equip and maintain ground forces not to exceed a ceiling of 100,000 aggregate military personnel.

3. The armament of the Rumanian ground forces shall be limited generally to the types employed at the termination of hostilities in Europe. The maximum quantities of the armament and equipment and the reserves maintained shall not exceed such as appropriate for the purposes specified in paragraph one.

Section II:

1. Rumania undertakes to confine the activities of its air force to (a) employment in air defense and in coordination with the ground and naval forces in pursuance of either of the purposes specified in paragraph one, Article 23, (b) furnishing military air transport of a type and on a scale in keeping with the size and composition of the Rumanian armed forces.

2. The Rumanian air force, including any fleet air arm, shall not exceed a strength in personnel of 4,000 or a total of 80 aircraft. The organization and composition of the Rumanian air force within these limitations shall be a matter for determination by the Rumanian Government. Adequate supporting services, facilities, communications, and air defense equipment will be permitted.

3. Authorized types of military aircraft within the permitted ceiling are limited to fighter, reconnaissance, training, and land or sea transport. Reserve aircraft are not authorized. Unserviceable aircraft may be replaced.

4. Aircraft of German or Japanese design or components shall not be employed.

5. Rumania shall not produce or otherwise acquire military aircraft or components thereof, equipment, weapons, or munitions in excess of those required for the maintenance of the permitted Rumanian air force. Military aircraft are categorized as tactical aircraft and transport aircraft. Tactical aircraft are all aircraft which are armed, or can be effectively armed, for military operations or which are carrying armed troops; and transport aircraft are all other aircraft not within the definition of tactical aircraft.

Civil aviation will not be used as an instrument to train personnel for military purposes nor to provide or encourage interest in military aviation beyond the needs of the authorized air establishment.

Section III:

Rumania undertakes to confine the future activities of Rumanian naval forces to (a) maintaining internal order, (b) taking reasonable measures to guard sea and river frontiers of Rumania against acts of local aggression. In order to restrict the future activities of Rumanian naval forces as above provided, all submarines shall be scrapped and the acquisition and/or construction of new submarines shall be prohibited.

Section IV:

Fortifications and military installations shall be demilitarized so as to be consonant with the restrictive military purposes for which armed forces, armaments and armament industries are permitted.

The Black Sea coast of Rumania shall be demilitarized to a level of strength comparable to that of adjacent riparian states.

Freedom of navigation of international waterways shall be preserved and no existing or future fortifications or military installations which might threaten such freedom of navigation shall be permitted.

Section V:

A verification Commission composed of representatives of each of the signatory Governments shall be established to ensure fulfillment of treaty provisions.

Article 24

1. The repatriation of Rumanian prisoners of war shall take place as soon as possible after the coming into force of the present Treaty, and shall be carried out with the greatest possible expedition, considering all governing factors.

2. The Government of each of the contracting United Nations agrees to move individuals, who are being repatriated from their places of detention to ports of embarkation and from there to provide the transportation necessary to transport them for delivery to

Rumanian authorities at designated places of exchange. The Government of each of the contracting United Nations further agrees to transport to ports of entry into Rumania any and all persons subject to repatriation from their custody on the continent of Europe.

Article 25

1. The cost of the movement of prisoners of war being repatriated from their places of detention, wherever situated, to ports of embarkation, in cases where water transportation is utilized, will be borne by the detaining Government, but the cost of movement from the port of embarkation or from places of detention in neutral or other territories to the Rumanian ports of entry, in cases where land transportation is utilized, will be borne by the Rumanian Government.

2. Repatriated prisoners of war will be transported to their homes by the Rumanian authorities as soon as possible after they are turned over to them by the Government of any of the contracting United Nations.

3. The Rumanian Government and the respective Governments of the contracting United Nations undertake to make appropriate provisions for the return in kind of personal articles, foreign moneys, foreign securities, and documents which belong to individuals who have been held in their custody and which have not previously been returned. Nevertheless, the return of currencies to persons held by any of the contracting United Nations shall be subject to United Nations policy in Rumania. This may affect the time of such return and the type of currency in which the return is made. The Rumanian Government undertakes to make reparation in satisfaction of claims for personal property and money taken from personnel of any of the contracting United Nations, who were in the custody of the Rumanian Government, in any case where such property has not been returned.

4. The Rumanian Government confirms and approves the methods adopted by the Governments of the contracting United Nations in the payment of wages earned by Rumanian prisoners of war while in captivity and undertakes to make restitution for accrued unpaid wages owed to United Nations prisoners of war

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formerly held by Rumania. Each Government agrees to reimburse the detaining Government for sums accrued or disbursed as pay by the latter to officers of the armed forces of the former while in captivity.

5. The Governments of the contracting United Nations reserve the right to withhold from repatriation Rumanian prisoners of war who are suspected war criminals. The Governments of the contracting United Nations agree to try such prisoners as soon as may be possible and to repatriate them immediately after trial if acquitted. Prisoners of war who may be wanted as witnesses at such trials will be withheld from repatriation only if the trial at which they are required is to take place within the very near future; otherwise, they will be repatriated in the normal fashion, subject to an obligation on the part of the Rumanian Government to return them on request to the scene of the trial at which they are required. If they are brought back from Rumania for this purpose, the expenses of their transportation from Rumania and their return to Rumania will be borne by the Government which makes use of their services, which Government likewise undertakes to transport the witness from and to Rumania as expeditiously as possible.

6. The Governments of the contracting United Nations reserve the right to withhold from repatriation prisoners of war under sentence of imprisonment by any duly constituted court or tribunal, until such sentence has been fully served.

Article 26

The following shall govern relative to the disposal of the remains of deceased persons who were citizens of the contracting United Nations and/or who served or who accompanied the Armed Forces of a United Nation and are now buried in Rumania or any possession or territory now or hereafter subject to the control of the Rumanian Government.

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1. The contracting United Nations, through their duly designated representatives, shall have the following rights, privileges and prerogatives:

a. The Government of each of the contracting United Nations shall have the right to establish and maintain such temporary cemeteries as are necessary for the burial of deceased persons subject to its control and to make exhumations therefrom for repatriation or concentration into other cemeteries abroad, and may move bodies from other countries into Rumania and its territories and possessions for interment and transshipment.

b. The Government of each of the contracting United Nations shall be exempt from all national, local or other laws and/or regulations relating to the permits for disinterments; sanitation, upon an assurance that such work will be conducted in a manner not detrimental to public health; and from the payment of any duties, taxes or fees of any kind whatsoever for the burial, disinterment for reburial or movement of bodies or the maintenance of graves.

c. The Government of each of the contracting United Nations shall have the right of free entrance and exit for all personnel, supplies, transportation (air, motor and water) serving or belonging to such United Nations and the use of port facilities, warehousing, rail and water transportation and the right to employ labor in Rumania, its territories and possessions, essential to the accomplishment of its mission upon payment of just compensation therefor.

d. The Government of each of the contracting United Nations shall have the unrestricted right of search for the remains of members of its Armed Forces, and/or its citizens.

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e. The Government of each of the contracting United Nations shall have the unrestricted right to examine and copy all records, military or civilian, which may be of assistance in locating the graves, or identifying the remains of its deceased military or civilian personnel.

f. The Government of each of the contracting United Nations shall have the right to question and examine citizens of Rumania and to take affidavits in furtherance of its search for, and identification of remains of members of its Armed Forces, and/or its citizens.

2. The Government of Rumania will render all possible assistance in locating and securing the effects of deceased military and civilian personnel of the contracting United Nations.

3. If in the future the Government of any one of the contracting United Nations wishes to establish permanent cemeteries or erect memorials in Rumania, the Rumanian Government will exercise its power of eminent domain to acquire title to such sites and grant to such United Nation the right to use therein in perpetuity upon payment by such United Nation of just compensation therefor. Any sites acquired including improvements thereto and buildings constructed thereon shall be exempt from any and all form of taxation, direct or indirect.

S E C R E TAPPENDIX "D"MILITARY, NAVAL AND AIR CLAUSES BULGARIA

Article 21

Bulgaria hereby declares its attachment to the principles, set forth in the Charter of the United Nations, that international disputes shall be settled by peaceful means in such manner that international peace, security and justice are not endangered, and that force shall not be threatened or used against the territorial integrity or independence of any state. Bulgaria also recognizes the overriding necessity, in the interest of the early rehabilitation of the devastated areas of Europe, that there be a minimum diversion of manpower and economic resources to armaments. Bulgaria accordingly subscribes to the principle of the regulation of armaments and proposes to rely primarily for its security upon the arrangements for the maintenance of international peace and security provided under the Charter of the United Nations.

Article 22

For the purpose of regulating the level of its armaments, Bulgaria agrees that the size, distribution, training, armament and equipment for its armed forces shall be governed by the principles and specific limitations provided in this chapter. When the general system for the regulation of armaments to be formulated under Article 26 of the Charter of the United Nations becomes operative and applicable to Bulgaria and its adjacent areas, the measures provided under this chapter will be integrated with or superseded by the requirements of the general system.

Article 23

Section I:

1. Bulgaria undertakes to confine the activities of its ground forces to the (a) maintenance of internal order and (b) the guarding of the frontiers of Bulgaria against acts of local aggression.

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2. Bulgaria shall be permitted initially to enroll, equip and maintain ground forces not to exceed a ceiling of 66,000 aggregate military personnel.

3. The armament of the Bulgarian ground forces shall be limited generally to the types employed at the termination of hostilities in Europe. The maximum quantities of the armament and equipment and the reserves maintained shall not exceed such as appropriate for the purposes specified in paragraph one.

Section II:

1. Bulgaria undertakes to confine the activities of its air force to (a) employment in air defense and in coordination with the ground and naval forces in pursuance of either of the purposes specified in paragraph one, Article 23, (b) furnishing military air transport of a type and on a scale in keeping with the size and composition of the Bulgarian armed forces.

2. The Bulgarian air force, including any fleet air arm, shall not exceed a strength in personnel of 2,600 or a total of 52 aircraft. The organization and composition of the Bulgarian air force within these limitations shall be a matter for determination by the Bulgarian Government. Adequate supporting services, facilities, communications and air defense equipment will be permitted.

3. Authorized types of military aircraft within the permitted ceiling are limited to fighter, reconnaissance, training, and land or sea transport. Reserve aircraft are not authorized. Unserviceable aircraft may be replaced.

4. Aircraft of German or Japanese design or components shall not be employed.

5. Bulgaria shall not produce or otherwise acquire military aircraft or components thereof, equipment, weapons, or munitions in excess of those required for the maintenance of the permitted Bulgarian air force. Military aircraft are categorized as tactical aircraft and transport aircraft. Tactical aircraft are all aircraft which are armed, or can be effectively armed, for military operations or which are carrying armed troops, and transport aircraft are all other

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aircraft not within the definition of tactical aircraft.

Civil aviation will not be used as an instrument to train personnel for military purposes nor to provide or encourage interest in military aviation beyond the needs of the authorized air establishment.

Section III:

1. Bulgaria undertakes to confine the future activities of Bulgarian naval forces to (a) maintaining internal order, (b) taking reasonable measures to guard sea and river frontiers of Bulgaria against acts of local aggression. In order to restrict the future activities of Bulgarian naval forces as above provided, all submarines shall be scrapped and the acquisition and/or construction of new submarines shall be prohibited.

Section IV:

Fortifications and military installations shall be demilitarized so as to be consonant with the restrictive military purposes for which armed forces, armaments and armament industries are permitted.

The Black Sea coast of Bulgaria shall be demilitarized to a level of strength comparable to that of adjacent riparian states.

Freedom of navigation of international waterways shall be preserved and no existing or future fortifications or military installations which might threaten such freedom of navigation shall be permitted.

Section V:

A verification Commission composed of representatives of each of the signatory Governments shall be established to ensure fulfillment of treaty provisions.

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Article 24

1. The repatriation of Bulgarian prisoners of war shall take place as soon as possible after the coming into force of the present Treaty, and shall be carried out with the greatest possible expedition, considering all governing factors.

2. The Government of each of the contracting United Nations agrees to move individuals, who are being repatriated from their places of detention to ports of embarkation and from there to provide the transportation necessary to transport them for delivery to Bulgarian authorities at designated places for exchange. The Government of each of the contracting United Nations further agrees to transport to ports of entry into Bulgaria any and all persons subject to repatriation from their custody on the continent of Europe.

Article 25

1. The cost of the movement of prisoners of war being repatriated from their places of detention, wherever situated, to ports of embarkation, in cases where water transportation is utilized, will be borne by the detaining Government, but the cost of movement from the port of embarkation or from places of detention in neutral or other territories to the Bulgarian ports of entry, in cases where land transportation is utilized, will be borne by the Bulgarian Government.

2. Repatriated prisoners of war will be transported to their homes by the Bulgarian authorities as soon as possible after they are turned over to them by the Government of any of the contracting United Nations.

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3. The Bulgarian Government and the respective Governments of the contracting United Nations undertake to make appropriate provisions for the return in kind of personal articles, foreign moneys, foreign securities, and documents which belong to individuals who have been held in their custody and which have not previously been returned. Nevertheless, the return of currencies to persons held by any of the contracting United Nations shall be subject to United Nations policy in Bulgaria. This may effect the time of such return and the type of currency in which the return is made. The Bulgarian Government undertakes to make reparation in satisfaction of claims for personal property and money taken from personnel of any of the contracting United Nations, who were in the custody of the Bulgarian Government, in any case where such property has not been returned.

4. The Bulgarian Government confirms and approves the methods adopted by the Governments of the contracting United Nations in the payment of wages earned by Bulgarian prisoners of war while in captivity and undertakes to make restitution for accrued unpaid wages owed to United Nations prisoners of war formerly held by Bulgaria. Each Government agrees to reimburse the detaining Government for sums accrued or disbursed as pay by the latter to officers of armed forces of the former while in captivity.

5. The Governments of the contracting United Nations reserve the right to withhold from repatriation Bulgarian prisoners of war who are suspected war criminals. The Governments of the contracting United Nations agree to try such prisoners as soon as may be possible and to repatriate them immediately after trial if acquitted. Prisoners of war who may be wanted as witnesses at such trials will be withheld from repatriation only if the trial at which they are required is to take place within the very near future; otherwise, they will be repatriated in the normal fashion, subject to an obligation on the part of the Bulgarian Government to

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return them on request to the scene of the trial at which they are required. If they are brought back from Bulgaria for this purpose, the expenses of their transportation from Bulgaria and their return to Bulgaria will be borne by the Government which makes use of their services, which Government likewise undertakes to transport the witness from and to Bulgaria as expeditiously as possible.

6. The Governments of the contracting United Nations reserve the right to withhold from repatriation prisoners of war under sentence of imprisonment by any duly constituted court or tribunal until such sentence has been fully served.

Article 26

The following shall govern relative to the disposal of the remains of deceased persons who were citizens of the contracting United Nations and/or who served or who accompanied the Armed Forces of an United Nation and are now buried in Bulgaria or any possession or territory now or hereafter subject to the control of the Bulgarian Government.

1. The contracting United Nations, through their duly designated representatives, shall have the following rights, privileges and prerogatives;

a. The Government of each of the contracting United Nations shall have the right to establish and maintain such temporary cemeteries as are necessary for the burial of deceased persons subject to its control and to make exhumations therefrom for repatriation or concentration into other cemeteries abroad, and may move bodies from other countries into Bulgaria and its territories and possessions for interment and transshipment.

b. The Government of each of the contracting United Nations shall be exempt from all national, local or other laws and/or regulations relating to the permits for disinterments; sanitation, upon an assurance that such work will be

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conducted in a manner not detrimental to public health; and from the payment of any duties, taxes or fees of any kind whatsoever for the burial, disinterment for reburial or movement of bodies or the maintenance of graves.

c. The Government of each of the contracting United Nations shall have the right of free entrance and exit for all personnel, supplies, transportation (air, motor and water) serving or belonging to such United Nations and the use of port facilities, warehousing, rail and water transportation and the right to employ labor in Bulgaria, its territories and possessions, essential to the accomplishment of its mission upon payment of just compensation therefor.

d. The Government of each of the contracting United Nations shall have the unrestricted right of search for the remains of members of its Armed Forces, and/or its citizens.

e. The Government of each of the contracting United Nations shall have the unrestricted right to examine and copy all records, military or civilian, which may be of assistance in locating the graves, or identifying the remains of its deceased military or civilian personnel.

f. The Government of each of the contracting United Nations shall have the right to question and examine citizens of Bulgaria and to take affidavits in furtherance of its search for, and identification of remains of members of its Armed Forces, and/or its citizens.

2. The Government of Bulgaria will render all possible assistance in locating and securing the effects of deceased military and civilian personnel of the contracting United Nations.

3. If in the future the Government of any one of the contracting United Nations wishes to establish permanent cemeteries or erect memorials in Bulgaria, the Bulgarian Government will exercise its power of eminent domain to acquire title to such

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sites and grant to such United Nation the right to use therein in perpetuity upon payment by such United Nation of just compensation therefor. Any sites acquired including improvements thereto and buildings constructed thereon shall be exempt from any and all form of taxation, direct or indirect.

S E C R E TAPPENDIX "E"MILITARY AND AIR CLAUSES HUNGARY

Article 21

Hungary hereby declares its attachment to the principles, set forth in the Charter of the United Nations, that international disputes shall be settled by peaceful means in such manner that international peace, security and justice are not endangered and that force shall not be threatened or used against the territorial integrity or independence of any state. Hungary also recognizes the overriding necessity, in the interest of the early rehabilitation of the devastated areas of Europe, that there be a minimum diversion of manpower and economic resources to armaments. Hungary accordingly subscribes to the principle of the regulation of armaments and proposes to rely primarily for its security upon the arrangements for the maintenance of international peace and security provided under the Charter of the United Nations.

Article 22

For the purpose of regulating the level of its armaments, Hungary agrees that the size, distribution, training, armament and equipment for its armed forces shall be governed by the principles and specific limitations provided in this chapter. When the general system for the regulation of armaments to be formulated under Article 26 of the Charter of the United Nations becomes operative and applicable to Hungary and its adjacent areas, the measures provided under this chapter will be integrated with or superseded by the requirements of the general system.

Article 23

Section I:

1. Hungary undertakes to confine the activities of its ground forces to the (a) maintenance of internal order and (b) the guarding of the frontiers of Hungary against acts of local aggression.

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2. Hungary shall be permitted initially to enroll, equip and maintain ground forces not to exceed a ceiling of 66,000 aggregate military personnel.

3. The armament of the Hungarian ground forces shall be limited generally to the types employed at the termination of hostilities in Europe. The maximum quantities of the armament and equipment and the reserves maintained shall not exceed such as appropriate for the purposes specified in paragraph one.

Section II:

1. Hungary undertakes to confine the activities of its air force to (a) employment in air defense and in coordination with the ground and naval forces in pursuance of either of the purposes specified in paragraph one, Article 23, (b) furnishing military air transport of a type and on a scale in keeping with the size and composition of the Hungarian armed forces.

2. The Hungarian air force shall not exceed a strength in personnel of 2,600 or a total of 52 aircraft. The organization and composition of the Hungarian air force within these limitations shall be a matter for determination by the Hungarian Government. Adequate supporting services, facilities, communications and air defense equipment will be permitted.

3. Authorized types of military aircraft within the permitted ceiling are limited to fighter, reconnaissance, training, and land or sea transport. Reserve aircraft are not authorized. Unserviceable aircraft may be replaced.

4. Aircraft of German or Japanese design or components shall not be employed.

5. Hungary shall not produce or otherwise acquire military aircraft or components thereof, equipment, weapons or munitions in excess of those required for the maintenance of the permitted Hungarian air force. Military aircraft are categorized as tactical aircraft and transport aircraft. Tactical aircraft are all aircraft which are armed, or can be effectively armed, for military operations or which are carrying armed troops; and transport aircraft are all other aircraft not within the definition of tactical aircraft.

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Civil aviation will not be used as an instrument to train personnel for military purposes nor to provide or encourage interest in military aviation beyond the needs of the authorized air establishment.

Section III:

Fortifications and military installations shall be demilitarized so as to be consonant with the restrictive military purposes for which armed forces, armaments and armament industries are permitted.

Freedom of navigation of international waterways shall be preserved and no existing or future fortifications or military installations which might threaten such freedom of navigation shall be permitted.

Section IV:

A verification Commission composed of representatives of each of the signatory Governments shall be established to ensure fulfillment of treaty provisions.

Article 24

1. The repatriation of Hungarian prisoners of war shall take place as soon as possible after the coming into force of the present Treaty, and shall be carried out with the greatest possible expedition, considering all governing factors.

2. The Government of each of the contracting United Nations agrees to move individuals, who are being repatriated from their places of detention to ports of embarkation and from there to provide the transportation necessary to transport them for delivery to Hungarian authorities at designated places for exchange. The Government of each of the contracting United Nations further agrees to transport to ports of entry into Hungary any and all persons subject to repatriation from their custody on the continent of Europe.

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Article 25

1. The cost of the movement of prisoners of war being repatriated from their places of detention, wherever situated, to ports of embarkation, in cases where water transportation is utilized, will be borne by the detaining Government, but the cost of movement from the port of embarkation or from places of detention in neutral or other territories to the Hungarian ports of entry, in cases where land transportation is utilized, will be borne by the Hungarian Government.
2. Repatriated prisoners of war will be transported to their homes by the Hungarian authorities as soon as possible after they are turned over to them by the Government of any of the contracting United Nations.
3. The Hungarian Government and the respective Governments of the contracting United Nations undertake to make appropriate provisions for the return in kind of personal articles, foreign moneys, foreign securities, and documents which belong to individuals who have been held in their custody and which have not previously been returned. Nevertheless, the return of currencies to persons held by any of the contracting United Nations shall be subject to United Nations policy in Hungary. This may affect the time of such return and the type of currency in which the return is made. The Hungarian Government undertakes to make reparation in satisfaction of claims for personal property and money taken from personnel of any of the contracting United Nations, who were in the custody of the Hungarian Government, in any case where such property has not been returned.
4. The Hungarian Government confirms and approves the methods adopted by the Governments of the contracting United Nations in the payment of wages earned by Hungarian prisoners of war while in captivity and undertakes to make restitution for accrued unpaid wages owed to United Nations prisoners of war formerly held by Hungary. Each Government agrees to reimburse the detaining Govern-

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ment for sums accrued or disbursed as pay by the latter to officers of the armed forces of the former while in captivity.

5. The Governments of the contracting United Nations reserve the right to withhold from repatriation Hungarian prisoners of war who are suspected war criminals. The Governments of the contracting United Nations agree to try such prisoners as soon as may be possible and to repatriate them immediately after trial if acquitted. Prisoners of war who may be wanted as witnesses at such trials will be withheld from repatriation only if the trial at which they are required is to take place within the very near future; otherwise, they will be repatriated in the normal fashion, subject to an obligation on the part of the Hungarian Government to return them on request to the scene of the trial at which they are required. If they are brought back from Hungary for this purpose, the expenses of their transportation from Hungary and their return to Hungary will be borne by the Government which makes use of their services, which Government likewise undertakes to transport the witness from and to Hungary as expeditiously as possible.

6. The Governments of the contracting United Nations reserve the right to withhold from repatriation prisoners of war under sentence of imprisonment by any duly constituted court or tribunal, until such sentence has been fully served.

Article 26

The following shall govern relative to the disposal of the remains of deceased persons who were citizens of the contracting United Nations and/or who served or who accompanied Armed Forces of a United Nation and are now buried in Hungary or any possession or territory now or hereafter subject to the control of the Hungarian Government.

1. The contracting United Nations, through their duly designated representatives, shall have the following rights, privileges and prerogatives:

S E C R E T

a. The Government of each of the contracting United Nations shall have the right to establish and maintain such temporary cemeteries as are necessary for the burial of deceased persons subject to its control and to make exhumations therefrom for repatriation or concentration into other cemeteries abroad, and may move bodies from other countries into Hungary and its territories and possessions for interment and transshipment.

b. The Government of each of the contracting United Nations shall be exempt from all national, local or other laws and/or regulations relating to the permits for disinterments; sanitation, upon an assurance that such work will be conducted in a manner not detrimental to public health; and from the payment of any duties, taxes or fees of any kind whatsoever for the burial, disinterment for reburial or movement of bodies or the maintenance of graves.

c. The Government of each of the contracting United Nations shall have the right of free entrance and exit for all personnel, supplies, transportation (air, motor and water) serving or belonging to such United Nations and the use of port facilities, warehousing, rail and water transportation and the right to employ labor in Hungary, its territories and possessions, essential to the accomplishment of its mission upon payment of just compensation therefor.

d. The Government of each of the contracting United Nations shall have the unrestricted right of search for the remains of members of its Armed Forces, and/or its citizens.

e. The Government of each of the contracting United Nations shall have the unrestricted right to examine and copy all records, military or civilian, which may be of assistance in locating the graves, or identifying the remains of its deceased military or civilian personnel.

f. The Government of each of the contracting United Nations shall have the right to question and examine citizens of Hungary and to take affidavits in furtherance of its search

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for, and identification of remains of members of its Armed Forces, and/or its citizens.

2. The Government of Hungary will render all possible assistance in locating and securing the effects of deceased military and civilian personnel of the contracting United Nations.

3. If in the future the Government of any one of the contracting United Nations wishes to establish permanent cemeteries or erect memorials in Hungary, the Hungarian Government will exercise its power of eminent domain to acquire title to such sites and grant to such United Nation the right to use therein in perpetuity upon payment by such United Nation of just compensation therefor. Any sites acquired including improvements thereto and buildings constructed thereon shall be exempt from any and all form of taxation, direct or indirect.

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CORRIGENDUMTOSWNCC 244/3TREATIES OF PEACE WITH RUMANIA, BULGARIA AND HUNGARYNote by the Secretaries

Holders of SWNCC 244/3 are requested to make the following changes:

Page 34, paragraph 5, line 3:

Change to read "Hungary should be limited consonantly to the same purposes to".

Page 41, line 1:

Delete "or unduly restrictive".

Page 41, paragraph 5, line 6:

Delete the word "would" and substitute "could" therefor.

Page 48, Section III:

Delete the paragraph designation "1".

Page 61, Appendix "E":

Delete the word "NAVAL" from the title.

Page 63, Section III:

Delete the second unnumbered subparagraph.

ALEXANDER D. REID

B. L. AUSTIN

RAYMOND E. COX

Secretariat

MAR 9 1946
S E C R E TCOPY NO. 205 March 1946STATE-WAR-NAVY COORDINATING COMMITTEEDECISION AMENDING SWNCC 244/3.TREATIES OF PEACE WITH RUMANIA, BULGARIA AND HUNGARYReferences: a. SWNCC 244/3
b. SWNCC 244/4Note by the Secretaries

1. By informal action on 5 March 1946 the State-War-Navy Coordinating Committee approved SWNCC 244/3 after amending as proposed by the Joint Chiefs of Staff in reference b.

2. Holders of SWNCC 244/3 are requested to substitute the attached revised pages 34, 41, 42, 46, 47, 48, 49, 53, 54, 61, 62 and 63 for the ones contained therein and destroy the latter by burning.

ALEXANDER D. REID

B. L. AUSTIN

RAYMOND E. COX

Secretariat

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By EW NARA Date 10/4/07

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STATE-WAR-NAVY COORDINATING COMMITTEE

CORRIGENDUM

TO

SWNCC 244/3

TREATIES OF PEACE WITH RUMANIA, BULGARIA AND HUNGARY

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