

THE BORDERS OF GREATER ROMANIA

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Motto:

*I dedicate this study to the Centenary of the Great Union,
as sign of profound respect, admiration and gratitude
that I feel for all those who sacrificed themselves so that we,
their descendants, can rejoice in the mighty realization
of this centuries-old dream of Romanians.*

Abstract. The importance of state frontiers is outlined by the evolution of international life, even these days, when the European Union faces waves of immigrants coming from Asia, which is a hard test for the viability of the European Union. Thus, any underestimation of the role frontiers play in the relationships between states, as well as their effects on human beings, has nothing to do with reality, and the slogans that go before realities are disqualifying; a world in which there is circulation of people and communication between them – facilitated and encouraged by the state – is not necessarily a world without frontiers, but a world with properly operating ones.

Keywords: borders, frontiers, the European Union, greater Romania

1. A discourse on frontiers – *limes* (state frontiers, especially) – an analysis, a presentation, a few comments or mere references to the topic – could be considered, now, when EU no longer requires any controls within its internal borders, as something unusual, amiss and anachronistic, by Europe enthusiasts – people of the world, claiming to be modern, advanced and without prejudice, when in fact – this is my opinion, of course – their vision is ordinary, superficial and even infatuated, wishy-washy and worse. The mere use of the word **frontier** has – due to the significance, the meaning it received in our minds, as well as its consequences – a disconcerting echo, causing a flinch (bringing to mind unpleasant or difficult moments in our lives) when we hear it, due to the fact that various important events – sometimes tragic, like the beginning of a war, the amendment of a frontier, and sometimes joyous, like the fulfilment of grand ideals – the unification of a nation, the restoration of the territory of a country etc. – are connected to it; even the fact that we have to be careful when we approach the

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frontier, when we cross it and the reflexes that this formality instils creates resentments, discomfort and unwanted worries.

The boundary line played a tremendous role – with a deep involvement in life, during the history and has to be an indispensable factor; it is a necessity that has to be taken into consideration. As a remarkable specialist in international law stated¹, the concept of boundary delimitation has a triple significance, being at the same time a peace factor (it is negotiated), an assertion of state independence and an act of ensuring security measures.

I stray away from such an easy, comfortable approach, which after all, is damaging; I am part of the group of people who are passionate about the topic of frontiers and who believe we must take care of them, currently, as our forefathers did in their time; **the frontier** is of capital importance for our lives, although the reasons have not remained entirely the same; every community of people inexorably has a *locus*, a settlement of its own; **the determined territory** is the essential condition for the existence of a state²; this is confirmed by the mere fact that there are treaties concluded between states that delineate the areas over which each of them holds an absolute control – sovereignty (*summa et plenitudopotestatis*). Even in our times, when the development of the means of circulation and communication, favouring contacts between people, expanded extraordinarily – state entities continue to exercise their authority by the regulations they enforce regarding the circulation of foreign citizens on their territory (acceptance of access, border control of persons and their goods etc.). The facilities created for the movement of EU citizens is not a disappearance, a deletion of frontiers, but the result of measures taken in the European area (where there is freedom of circulation); access to any European country is granted after control at the frontiers of one of the EU states – which is also the EU frontier, while regarding their own citizens, the provisions of the **Schengen Agreement** apply, which starts off from the idea of frontiers. EU and the European construct therefore rely on the existence of states, which are **independent** and **sovereign**, and continue to exist even after their European integration – because state entities do not dissolve, in spite of the EU becoming a union of people; EU has not set out to be and will not become an amorphous conglomerate, a disorganized one, but continues to require organized forms of human communities, which are the states, and they can only confine each other by frontiers – a building block of any community. The

¹ See Charles Rousseau, *Droit international public*, 3^{em} ed, Dalloz, 1965, pp. 161-162; see also Louis Delbez, *Les Principes Généraux du Droit International Public*, III-ème, Paris, 1961, pp. 214-suiv.; L. Oppenheim, *International Law – A Treatise*, Vol. I *Peace*, eighth ed. p. 530-535; G. Schwarzenberger, *International Law*, Vol. I, third ed., 1950, pp. 297-337.

² Charles Rousseau, *op. cit.*, pp. 134-138; Paul Reuter, *Droit international public*, Presses Universitaires, France, pp. 99-114; Rosalyn Higgins, *The development of International Law through the political organs of United Nations*, Oxford University Press, 1963, pp. 17-20; Ion M. Anghel, *Subiectele de drept internațional*, Ed. II, Editura Lumina Lex, 2002, pp. 87-101

European Union has its own frontiers, which overlap with the external ones³. The importance of state frontiers is outlined by the evolution of international life, even these days, when the European Union faces waves of immigrants coming from Asia, which is a hard test for the viability of the European Union. Thus, any underestimation of the role frontiers play in the relationships between states, as well as their effects on human beings, has nothing to do with reality, and the slogans that go before realities are disqualifying; a world in which there is circulation of people and communication between them – facilitated and encouraged by the state – is not necessarily a world without frontiers, but a world with properly operating ones.

- The frontiers of our country have a political and national significance, they derive from the history of the Romanian people; the integrity of the Romanian territory was defended on its frontiers, and that is where great sacrifices for the Romanian people were made; they were one of the objectives of the fight for national unity, and the centenary of the Union is a special occasion to remember.

- A presentation of frontiers is also an occasion to assess, to make a comparison between what the heroic enactors of the Greater Romania left us and what Romanian officials were capable of doing when they regained these frontiers; it seems to me that nowadays, the Romanian officials are not so preoccupied with these old fashioned affairs.

- State frontiers are an interesting, but also very important topic; they represent the reason why I personally am passionate about it (for a period during my professional life I was part of the commissions set up in order to verify the route of the frontier line, or frontier activities, with any changes thereof, with all our neighbouring states.)

2. A centuries-old dream coming true – Greater Romania, the result of the Paris Peace Conference (1918 – 1920)⁴

- Due to **the great number of participating states** (not just European, but also countries from other continents – with 10.000 delegates, a true World Parliament), **the complexity of the issues** on its agenda, as well as **the radical decisions** taken, as well as the effects they were going to cause in the world for a long period of time, **the Conference** remained in the history's annals as an

³ Ion M. Anghel, *The extern frontier of The European Union expression of the past future binome*, Annals, Series of history and archaeology, no. 2/2015, pp. 38-48.

⁴ Regarding the Paris Peace Conference, v. Viorica Moisuc, *Istoria relațiilor internaționale (până la mijlocul secolului al XX-lea)*, Edit. Fundației România de mâine, 2003, pp. 85-115; Aurel Preda-Mătășaru, *Tratat de Relații Internaționale moderne și contemporane*, Lumina Lex, 2001, pp. 180-203; Ion M. Anghel, *Tratatele încheiate de România, ca ultim criteriu de apreciere a politicii sale externe*, Editura Junimea, 2013, pp. 61-82; Emilian Bold, *De la Versailles la Laussane*, Editura Junimea, 1976.

unparalleled event and a crossroads. The fact that the decisions taken by the Conference represented the will of the world's Great Powers – from their position of victors of the great war, as well as due to the fact that they had laid the basis of the organisation of mankind – the establishment of states, the radical principle of nationalities, gave the magnitude, as well as the political and legal authority of the regulation, by the new order established in Europe and, by propagation, in the world, which was going to last for a long time; the Conference did not just end the massacre – establishing who was responsible for its commencement, bringing to account, according to the provisions of Art. 270 of the **Treaty of Versailles**, the parties guilty for its commencement (including Emperor Wilhelm II), but laying the grounds for adopted solutions, **the principle of nationality**⁵, produced the dissolution of the great multinational empires and, therefore, new states appeared and were recognized, or the frontiers of existing states changed (the independent Polish state was established, and the independence of Baltic countries was recognized; from the Austro-Hungarian Empire, the territories of new states resulted or took shape, such as Czechoslovakia); it was within these lines that Greater Romania came to be; a new political map of Europe was drawn.

Among the defeated **Central Powers** there were multinational empires in which the subjugated people were oppressed, and fighting in order to escape their tyranny; **the Allied and Associated Powers**, having another approach (especially the USA, who attended the Conference with the Fourteen Points of President **W. Wilson**), were in favour of liberation – which was going to be carried out at the expense of the defeated parties; but durable peace could only be established by destroying – neutralizing those who started the war; a **just peace** (even when the victors claimed the entirety of the benefits it secured at the end of the war), **durable** and **without fissures** after the conclusion of a world war, could only be installed if those who started it agreed to suffer the consequences of their actions, and therefore be in the impossibility to repeat it, and the reasons that generated it were eliminated; these conditions logically led to the solution of dissolution of the empires – already weakened by the fights for national independence and the establishment of the new state entity, or resizing it; the method to reach this result could only be the enforcement of the **principle of nationalities** – beneficial by excellence, to our country. By applying **the principle of nationalities**, the system of organization of states in Europe changed fundamentally, and later, on other continents also – and this system is applied to current days; with few exceptions (in which special considerations apply), all the existing states are established using **the principle of nationalities**; even now, this principle was used in order to dismantle certain states or built others (the case of Yugoslavia, Czechoslovakia,

⁵ “The treaties... confirmed that the principle of nationalities governed the most important decisions regarding the establishment of the territorial order and the post-war policy” (Viorica Moisuc, *op. cit.*, p. 103).

but especially the dissolution of the former USSR); at that time, in the words of a Romanian attorney⁶, “The Peace Treaties of 1919-1920, which rebuild the entire continental Europe, are the legal pillars of the new international community.” But adopting the principle of nationalities meant the dissolution of the empires based on the domination of the peoples subjected to their gripe, and the consequence of the enforcement was the disappearance of the empires based on conglomerates of nations, and the establishment thereof in national states. For us, there could not be any better conditions for the realization of Greater Romania.

That these empires had already entered a process of dissolution during the war, even before it – subsequent to the confrontation between belligerents and the fight for national freedom (even before capitulation, Hungary was trying to detach from Austria; meetings were held, declarations of nationalities living in the Austro-Hungarian Empire were adopted etc.) and that practically they only existed on paper, resulted from the declarations made during the Conference: *Lloyd George*, referring to the dissolution of Austro-Hungary, said that “these deeds are irreversibly done” or that “the time of Austro-Hungary has passed;” according to a representative of the Committee, *Harmsword*, “the Kingdom of Hungary had divided, largely, in its constituent parts, even before the commencement of the Peace Conference,” it “was nothing more than a conglomerate of different peoples, in some cases hostile to each other.” Not only did empires disappear or shrink, subsequent to fragmentation, but another organization of the international community was established.

- Establishing the conditions of peace, the Conference did not just impose it, dictating the measures applied against the defeated states; it organized the peace and established the new political order in Europe, as well as a set of rules of international law, deciding what the new frontiers would be.

- The Conference established a series of rules of international law and decided to set up the **League of Nations**, whose objective was to ensure durable peace, maintain peace and security in the world, disarm, settle differences amicably, codify international law; this set of rules and organizational measures of international relations would influence evolutions on the following decades.

- **Greater Romania** – the centuries-old dream of Romanians is the fruit of the Paris Peace Conference (1918-1920), as it resulted from its decisions⁷. It is essential to say that by taking as basic criterion for the settlement of the issues on the agenda of the Conference **the principle of nationalities**, this created the basis for the restoration of our country and the realization of the Greater Romania,

⁶ George Sofronie, *Principiul naționalităților în Tratatul de Pace din 1919-1920*, Editura Albatros, București, 1999.

⁷ Ion M. Anghel, *Tratatele încheiate de România... , op. cit.*, pp. 61-86, Viorica Moisuc, *Istoria relațiilor internaționale (până la mijlocul secolului al XX-lea)*, Edit. Fundației România de mâine, 2003, pp. 97-99.

without which it would have been impossible and inconceivable. The decision of the Conference, based on the enforcement of **the principle of nationality**, of recognizing Romanians in a single state – although it was not applied consistently and an important number of Romanians remained outside the borders of the country, as **Nicolae Iorga** said, represented for us an extremely important decision (the fundamental victory), as the right to unification and the realization of the Greater Romania was ruled internationally, by treaties; the unification of all Romanians strengthened the power of our state, and the country's increase in size (with a larger population and more natural resources), as well as its increased capacity, gave it chances for development, which is what happened. It was the beginning of a new path.

The agreed regulations – the **Treaties**, represented the high point of the Conference, which gave magnitude and consistency to the decisions, because the bases of the new architecture were laid – who were the players, what were their sizes and how they participated to the international life and to the new order, according to which international relations from the following decades took place.

A new situation had been created in Europe – a new configuration (with more states thus established) instead of empires, and one of the most important issues that were regulated was this apparition of new states, together with the old ones, with the afferent territorial changes; there is no treaty in which the regulation of territorial issues was not raised, as a consequence also the aspects related to the new frontiers – which was natural, because any regulation adopted then would result and report to the basic element – the state, with its frontiers.

The new organization of Europe was established by an array of treaties, signed and negotiated during the **Conference**, in which **the issue of frontiers** represented the essential point, because in relation to the territorial amendments – as they were made, taking into account the entire range of issues having to do with the population (the status of minorities), the value of indemnities etc. According to these treaties, conferences were organized in the next decade, and bilateral understandings were concluded, in order to regulate all problems.

This goes to show that the frontier represented a special component of the Conference (commissions were created to deal with issues and countries); one of the participants declared that, since the Austro-Hungarian Empire no longer existed, “the biggest problem was simply determining the details of the frontiers.”

- Meaning the **Treaties** concluded between the Allied and Associated Powers – USA, France, the British Empire et al. (that Romania was a part of), on one hand, and the former – as the case may be – belligerents, defeated states on the other; they are designed according to the system of bilateral treaties (with annexes between them) and ratified by states.

As prior specification, all these peace treaties borrowed the first 26 articles of the **Versailles Peace Treaty** regarding the **Covenant of the League of Nations**.

- **The Peace Treaty with Germany (Versailles, 28 June 1919)**, ending the war and recognizing the principle of nationality, restored the independent Polish State – in relation with the three empires; it recognized the existence of the three Baltic states; Germany gave up its colonies; war reparations were provided (\$132 billions); as for Romania, the **Treaty of Bucharest (1918)** was considered null and void – the one in which Romania had concluded peace unilaterally, establishing the quota of war reparations that it was entitled to (1%).

- **The Peace Treaty with Austria (Saint-Germain-en-Laye, 10 September 1919)**, with the addition of **The Treaty on Minorities (10 September, 1919)** – conditioning the restoration of the territory of those states on their acceptance of an imposed treatment of minorities – which caused the most tense discussions during the Conference; the dissolution of the Austro-Hungarian Empire and its termination *de iure*, by separation of Austria from Hungary; it was also decided what territories went to the other states from the former empire – Poland, Czechoslovakia, Yugoslavia and Romania – the Treaty having effect on Romania's western frontier.

- **The Peace Treaty with Turkey (Sèvres, 10 August 1919)**
- **The Peace Treaty with Bulgaria (Neuilly sur Seine, 27 November 1919)** – which returned the South of Dobrogea to us.

- **The Peace Treaty with Hungary (Trianon, 4 June 1920)** through which Transylvania, Banat, Crisana and Maramures unified with Romania.

- **The Paris Peace Treaty (28 October 1920)** concluded with Romania, through which we were assigned the province of Bessarabia.

- **The Treaty of Sèvres (10 August 1920)**, concluded between the **Allied Powers and Poland, Romania, the State of Slovenes, Croats and Serbs and Czechoslovakia**, regulating the issue of frontiers, for an important number of states in the former Austro-Hungarian Empire, amiable to Romania⁸; the Treaty describes the frontiers of each of these states, including Romania, the negotiations and delimitation of frontiers between them were based on this Treaty.

These **Treaties** represented the trunk, from which grew the regulations that were further continued and transposed, for the settlement of the issues that had not been solved at the Conference, or decided by it.

- Romania, in its capacity as participant to war operations and due to its contribution to victory, participated to the Peace Conference and became part of all treaties – together with the Allied and Associated Powers, or by itself; in each of these treaties there are provisions, besides the general regulations, that apply to Romania, directly and specifically.

Romania did not participate to the signing of either of the three **Conventions of Armistice**: with Germany (11 October 1918), with Turkey (30

⁸ “Wishing to give sovereignty to Poland, Romania..., over the territories that are recognized to them, respectively, the frontiers between the descendants of Austro-Hungary are established...”.

October 1918) and with Hungary (in Belgrade, 13 November 1918); the reason behind Romania's non-participation was that by concluding the **Peace Treaty of Bucharest (1918)**, it had exited the Alliance.

Romania did participate to the entire suite of post-conference reunions, together with France, England etc., in relation to the regulation of war reparations (*Amsterdam, San Remo, Boulogne, Spe, Lausanne* etc.) and concluded bilateral agreements for the settlement of financial aspects with Germany, Hungary, Bulgaria, Yugoslavia etc.

Romania's capacity as participant to the Conference was long discussed, raising delicate issues, since certain powers were stating that, by concluding **The Bucharest Treaty (1918)**, Romania had lost its quality of allied state, since **The Alliance Convention (1916)** excluded the conclusion of separate peace; thus, Romania had become a neutral state, which could not take place to the Conference. Due to the ability of Romanian diplomacy and to the support given by France, we were recognized the quality of belligerent, but our status was that of country with **limited interests** – which meant that we did not take part in the decision-making process, not even when it referred to our rights; it was even said that Romania (just as the other countries with limited interests) was not treated any better than its enemies.

- As the conference was dominated by the five powers (USA, France, Italy, Great Britain and Japan) – “**states with general interests,**” while Romania was solely, part of the category of “**states with limited interests,**” although it was admitted as belligerent state, its role was that of listening and not of discussing. Reacting to the protests expressed by Romania in relation to the **Treaty of Trianon with Hungary** – regarding the frontier that had been established, *Lord Balfour* declared: “The countries are summoned to be notified of their frontiers, not to discuss them. This frontier was regulated by Commissions, by the **Council of Five** and by the **Council of Four;**” the commitment undertaken in the **Alliance Convention** of 1916 regarding frontiers was completely ignored.

Due to the intransigent attitude of the Romanian representatives, especially regarding the **Status of Minorities** (a true battle of the small countries, led by Romania, with the **Supreme Council**), we were given a categorical *ultimatum* of eight days to sign “the Treaty with Austria and the one on minorities – without discussions, reserves and conditions;” contrarily, the **Council** would request the departure of the Romanian delegation from the Conference, and those states would withdraw their diplomatic representations from Bucharest; this common dictate also failed; Romania softened its position, requesting the expansion of the term, but did not give up; finally, the **Supreme Council** accepted the elimination of certain provisions, agreeing with the reformulation of Art. 59 of the **Treaty with Austria at Saint-Germain-en-Laye (10 September 1919)**, in which initially it was not expressly recognized that **Bucovina** belongs to Romania; the

text was formulated as follows: “Austria renounces in favour of Romania to all the rights and titles over the former Duchy of Bucovina, outside Romanian frontiers, as specified by the Decision of 28 November 1918, of unification with Romania.”

At the signing of the Treaty, the Romanian Prime Minister gave a statement saying that Romania “keeps its reserves as shown by its declarations and proposals made during the meeting of 31 May 1919;” he also issued two letters concerning the Jewish question, in which it was shown that we are controlled by the “Great Powers” (Romania not accepting to be subjected to the control of other states, in its relations with its own citizens); therefore, Romania refuses to sign the **Treaty with Austria** (the Romanian Prime Minister leaves the Conference), and subsequent to the *ultimatums* and threats that Romania could be excluded from the lines of **The Allied and Associated Powers**, he prefers to resign than to give in.

- As a general note, we would like to state that, although **France** supported us for the most part during the Conference, in spite of the rough tone used by the President of the Conference – *G. Clemenceau* – the attitude of the **USA** and **England** was not exactly benevolent (the USA contested our right to participate to the Conference and did not take part in the **Paris Treaty** regarding the retrocession of Bessarabia, and later pressured **Japan** not to ratify it – and so the treaty did not become effective); **Italy** was on the side of Hungary, against Romania, when discussing about the frontier (agreeing with the referendum proposed); Japan was not interested in Romania's problems; with the entire unfavourable context (contesting the quality of participant to the Conference, protecting the interests of Austria and Hungary, against Romania, as well as the infringement of the alliance convention), the ideal was achieved – Greater Romania.

Even though we were not completely successful – as we had the right to – and the solutions were not all that we wanted, we must be satisfied with what the **Great Powers** gave us, in spite of the stormy meetings and violent arguments – sometimes tragic, the participation to this Conference remains for us the most luminous page of Romanian history, when brilliant officials of Romania and its diplomacy were successful – it was a *summum*, and they deserve gratefulness for their high class of brave, patriotic representatives.

3. The Frontiers of Greater Romania, as they were established at the Paris Peace Conference (1918-1920) by the Main Allied and Associated Powers – with “general interests.”

- Subsequent to the decisions of the Conference to recognize new states or to change the territories of others, based on the system of the **Paris Treaties (1918-1920)**, the number of states neighbouring Romania rose. Thus, Romania had to establish the common frontier with six states: USSR, Poland, Czechoslovakia,

Hungary, Yugoslavia and Bulgaria – meaning with all its neighbours. All these frontiers were established through the **Treaties of Paris, Trianon, Saint Germain, Neuilly sur Seine** and in some cases described – **Sèvres**. The new frontiers were fully suited to Romanian interests also, due to the friendly relations established with some countries – even since the Conference – which allowed it to tie privileged relations, especially since all these neighbouring states were equally interested to keep the system established at the Conference.

- These frontiers – in the form established at the Conference – did not survive, unfortunately; – some of them not even for two decades. After the conclusion of the **Conference**, the order established by it was put under question subsequent to the changes of alliances and forces; the situation changed structurally – quite dramatically for Romanian frontiers during the years 1938-1940, subsequent to the annexation of **Austria** by the **German Reich** and the expansion of the influence thereof in this area – which led to a new wave of imbalance. The process of territorial changes continued then in the context of the Second World War, and especially after the **Paris Peace Conference** (1947). As some of the neighbouring states of Romania – Poland and Czechoslovakia – disappeared, we were no longer neighbours; the injustices against our country in 1940 were only partially righted – by the restoration of the northern part of Transylvania, and the frontiers in the region suffered amendments in favour of the USSR, Romania no longer had Poland and Czechoslovakia as neighbours. In its current stage, the place of the USSR – as neighbour – is taken by Ukraine and Moldova; Hungary, Serbia and Bulgaria remain ours neighbours. These changes took place as part of a process of reversals – ultimatums, dictates, acts of aggression etc.

The territory of Poland was divided between Hitler's Germany and the Bolshevik Russia of Stalin, and so it disappeared as a state; Czechoslovakia was defeated by Germany, the region of Sudetenland, and by the “appeasement policy,” namely the **Munich Dictate** (1938) between Germany, Great Britain, Italy and France – concluded under the threat of the war of aggression and the use of force – the rest of the territory dissolved under the protection of Hitler's Germany (1939); the march of Nazi Germany towards the Balkans takes place, with all the conflicts it generated.

Romania, in its turn, was strongly affected in 1940 by the fall of the **Versailles** system, and hit by the terrible acts of violation of its territory according to **the Moscow Ultimatum** (26 of June) and **the Dictates of Vienna and Craiova**: the eastern frontier was modified – when USSR took Bessarabia again, Northern Bucovina and the Hertza Region; by means of **the Vienna Dictate** (30 August – orchestrated by *Ribbentrop* and *Ciano*), Horthy's Hungary took the northern part of Transylvania, inhabited by two million Romanians; **the Treaty of Craiova** (7 September), gave Bulgaria the two counties in southern Dobrogea.

This triple blow meant the loss of one third of the country's territory, with its population and resources, bringing Romania to the point of dissolution.

Thus, the frontiers established for Greater Romania were structurally modified regarding the neighbouring states, as well as alignment of frontiers.

- The frontiers resulted from the Treaties were the following:

a. The frontier between Romania and Poland was established by the **Treaty of Sèvres (10 August 1920)**, concluded between the **Main Allied and Associated Powers and Poland, Romania, the State of Slovenes, Croats and Serbs and the Czechoslovakian State** regarding certain borders of these states (10 August 1920); in accordance to the provisions of Art. 3-6 of this Treaty, the High Contracting Powers **recognize** Romania's **sovereignty** over the territories bordering **Eastern Galicia**, as following: “From the common point of the former borders of Bessarabia and Bucovina, on the main course of Nistru and until a flat point approximately 2 kilometres downstream from Zaleszcyski; the main course of Nistru upstream; ... the old administrative border between Galicia and Bucovina, ... the point of the Carpathians, common to the basins of the three rivers, Tisa, Viso and Ceremuş; the former border between Hungary and Galicia. The point (level 1655) is the common point of the three borders between Romania, Galicia and Czechoslovakia.”

The Peace Treaty with Austria (Saint Germain, 10 September 1919) had been signed in the absence of the Romanian delegation, which considered it “incompatible with national dignity and independence.” The negotiations for the conclusion of this treaty were the hardest and most controversial ones from the entire Conference, reaching conflicts and extreme situations; only on 10 December 1919 did Romania sign the **Treaties with Austria, Bulgaria and the Minority Treaty**.

Only after the reaction of the five countries (Romania, Poland, Czechoslovakia, Serbia and Greece) – thus initiated by the Romanian delegation, who threatened that they would not sign the document “if they are not treated, differently” they were finally “listened,” but not “consulted;” in the context of the talks and the confrontations that took place between the **Supreme Council** and the five states, and especially Romania, due to the provisions of the **Status of Minorities** (by which the Great Powers reserved the right to get involved in internal affairs, under the pretext of the protection of minorities, while refusing the enforcement of such a provision in their case). Based on **the Minority Treaty**, there rose the issue of Hungarian minority citizens who chose Hungarian nationality – an issue that was discussed for a decade (including at the Geneva Conference of 1922)⁹, but also Bulgaria's claims at the third Balkan Conference, conditioning their participation on the settlement of the issue of the cohabiting nationality in Romania.

⁹ See Louis Delbez, *op. cit.*, pp. 285-286; *Dicționar de Drept Internațional Public*, 1982, pp. 203-204.

In relation to this Treaty, Romania declared that it does not accept a frontier with Bucovina, which would deprive it of a common border with Poland; finally, **the Supreme Council** gave in, recognizing **the Act of Cernăuți** of 28 November 1918, and the Treaty of Sèvres (10 August 1920) stipulated that “the Romanian-Polish border has been finally set.”

b. The border between Romania and Czechoslovakia. By means of the Treaty of Sèvres, concluded between the main **Allied and Associated Powers** and **Poland, Romania, the State of Slovenes, Croats and Serbs** and the **Czechoslovakian State** regarding certain borders of these States (10 August 1920), art. 3-7 established that the Romanian – Czechoslovakian border is the one described in Art. 2-4 of the Peace Treaty; therefore, the described frontier line is the following: “from level 123, to approximately 1200 m east of Magosliget, which is the common point of the three borders of Czechoslovakia, Romania and Hungary, towards north-east, up to the waters of the Batar: ...the course of Batar upstream..., and from here to the south-east, up to level 943, south of Remete..., the division line of the waters of Tisa to the north and Tur to the South... Tisa's course upstream, ... the division line of Tisa and Viso ... point 1655 is a common point to the three borders of Czechoslovakia, Eastern Galicia and Romania.”

c. The frontier between Romania and Hungary, after the unification of Transylvania with Romania, was established by **the Treaty of Trianon** (4 June 1920), concluded between the **Allied and Associated Powers** (including **Romania**) on one hand, and **Hungary** on the other. The terms of this Treaty are as following: “Hungary renounces in favour of Romania to all its rights and titles over the lands of the former Austro-Hungarian monarchy, situated beyond the borders of Hungary, as established in Art. 27, Part II (the Hungarian border) and recognized by the Treaty here in or by any other Treaties concluded in order to regulate current businesses, as being part of Romania” (Art. 45); Art. 46 provides the setting up, by a certain date, of a Commission in order to establish on land the line of the frontier. Art. 27-3, Part II (Hungarian borders) describes the frontier between **Hungary** and **Romania** “from the above-defined point (Gyala and Oszentivan) to east north-east, until a point chosen on the Maros river, approximately 3 kilometres upstream, on the bridge of the railway connecting Mako to Szeged ..., the course of river Maros upstream ... the line passing by Nemelpereg, to the common frontier point between Hungary, Romania and Czechoslovakia ... east of Kis-Palad and Magosliged. “This frontier was going to be drawn on land by the Delimitation Commission (Art. 29); in the case of frontiers on water, the frontier is the median line for non-navigable courses and the median line of the navigable channel for the navigable ones; a series of rules is established regarding the enforcement of these provisions. There are also provisions regarding the Danube (it being declared international, from Ulm, with the entire navigable part of this network, until its flow into to the sea.

In the Treaty of Sèvres, concluded between the **Great Allied and Associated Powers** and **Poland, Romania, the State of Slovenes, Croats and Serbs** and the **Czechoslovakian State**, regarding certain borders of these States (10 August 1920), it is provided in Art. 3 that the High Contracting Parties recognize the **sovereignty** of Romania over the lands bordered by Hungary (see map no. 2 with Hungary): “The border described in Art. 27-30 of the Peace Treaty concluded with Hungary on 4 June 1920.”

Art. 5 states that Art. 28-35 (on maps, the *modus operandi* of the frontier commissions, the frontier signs) and Art. 362 (regarding voting, in case of parity) from the Treaty with Hungary, are applicable to the route on land of the borders provided in the Treaty herein (rule applied to all the borders of Romania provided in the Treaty herein).

By the **Convention of Armistice** concluded between the **Great Allied and Associated Powers** with **Hungary** (Belgrade, 31 October 1918), the latter undertook to withdraw its troops on a certain alignment; Romania did not participate to its signing, nor was it consulted; if this alignment had become frontier line, the solution would not have been acceptable for it, because it was arbitrarily cutting off Romanian territories, and part of the Romanians would be left out; fortunately, this line, established by the Convention of Armistice, did not become a route of the frontier line, Romania succeeding in averting this danger (by contesting the Armistice by means of the **Letter** of its delegation to Belgrade). The **Letter** of Romanian delegation to the Conference of 6 March 1918 showed that the *Carol* Government “could only negotiate in Belgrade on behalf of the Hungarians, while the Romanians in Hungary had, since 18 October 1918, their own government, duly established and recognized by the Hungarian Government.” In the end, the line of the Romanian-Hungarian frontier was decided by the **Territorial Commission** of the Conference¹⁰, without the participation or consultation of Romania (19 June 1919); at the protests of I.C. Brătianu that the Committee decided the frontier and the Romanian delegation was simply notified of it, robbing it of its ability to negotiate; but this line, which had been decided, was not consistent with the line provided in the **Alliance Convention** of 1916. Then, there was Hungary's endeavour (*Apponyi*), proposing the organization of a plebiscite (hoping to restore the former “millenary” Hungarian kingdom) – a proposal supported by the PM of Italy; finally, the President of France and the Conference (*Millerand*) rejected, at 6 May 1920, the Hungarian proposal, motivating the decision by stating that Hungary had a responsibility subsequent to its participation to the war, and *Count Teleky* sent a note showing that Hungary

¹⁰ In the arbitration regarding *cession of vessels and tugs for navigation on the Danube* (1921), the Romanian thesis was accepted, according to which Romania was not bound by the armistice of 3 November 1918 between the Allied and Associated Powers and Austro-Hungary, because at that time it was not one of the Allied and Associated Powers.

would sign the Treaty (Trianon, 4 June 1920). In relation to the situation created by the events in Budapest – the leader of the anarchists, **Bela Kun**, taking power and establishing **the Soviet Hungarian Republic**, with the support of Bolshevik authorities in Russia – when he tried to regain control of Transylvania, the Romanian troupes, situated on the line that had been established at *Compiègne*, forced the Hungarian Bolshevik attackers to retreat on the other side of **Tisa**, and their retreat led to the armed occupation of Budapest (22 July 1919); that created a difficult situation, due to the ultimatum given by the President of the Conference, *Georges Clemenceau*.

By means of the **Armistice Convention** of 20 January 1945, Hungary undertook to withdraw its troops and officials from Romania at the borders of 31 December 1937, and the Peace Treaty of 1947 establishes the frontier with Hungary: “the decisions of the Vienna Sentence of 30 August 1940 are declared null and void. The frontier between Romania and Hungary, ... by means of the treaty herein, as it existed at 1 January 1938;” a similar provision exists in **the Peace Treaty** with Hungary.

Starting with 1950, there have been a series of treaties and agreements regarding the regime of state and collaboration frontiers (1963) and various minutes regarding the performance of works for the regularization of frontier waters.

d. The frontier between Romania and Yugoslavia was regulated by **the Treaty of Sèvres (1920)**, the route being established in accordance with Art. 3 (2). There is a description of the frontier line on the Danube (Belgrade, 1933): the Danube frontier starts at the point situated at the middle of the main navigable channel and the thalweg, which also governs the distribution of the existing islands; the route of the frontier line is also thus marked. Then there was an array of regulations, by agreements regarding the preservation and restoration of frontier signs (1957), fishing in frontier waters (1961), the settlement of issues regarding the frontier regime, the small frontier traffic (1970) as well as the Agreements on the construction and exploitation of the hydro-energetic and navigation system at the Porțile de Fier (1963), followed by agreements on the rectification of state frontiers in the areas of the Porțile de Fier 1 and 2 dams (1964 and 1986) and other agreements regarding the exploitation thereof, etc.

e. The frontiers between Romania and Bulgaria were established by means of the **Peace Treaty of Neuilly sur Seine (27 November 1919)**; the Treaty stipulates, in Art. 27-5, that the Bulgarian frontier follows the line “de la Mer Noire, jusqu’au Danube: la frontière telle qu’elle existait au premier août 1914, de là jusqu’au confluent du Timok” – referring to the frontier that existed at 1 August 1914, with some amendments. Thus, the frontier on the Danube and the one on land were sanctioned, the latter having been set by means of the **Peace of Bucharest (1913)**. The signature of this Treaty was a condition imposed to

Romania by an ultimatum of the **Supreme Council** regarding the acceptance of the **Treaty with Austria** (which took place on 6 December 1919, when the Romanian Government officially accepted this).

In the **Treaty of Sèvres**, concluded between the **Main Allied and Associated Powers** and **Poland, Romania, the State of Slovenes, Croats and Serbs** and the **Czechoslovakian State**, regarding certain borders of these States (10 August 1920), it was provided in Art. 2-2 that **the borders between Romania and Bulgaria** are those which are described in Art. 27-5 of the **Peace Treaty concluded with Bulgaria (27 November 1919)**.

Regarding the trajectory of the regulations: **the Berlin Treaty (1878)** had established as frontier between Romania and Bulgaria the following: “the right bank of the Danube, from the former frontier of Serbia, until the point to be established by the European Commission, east of Silistra, and from here, towards the Black Sea, south of Mangalia, which belongs to the Romanian territory” (Art. II, Par. 1). After the Second Balkan War, the Peace Treaty was signed between Romania, Greece, Montenegro, Serbia and Bulgaria (Bucharest, 1913); this document (Art. 2) and the attached Protocol established the land border between Romania and Bulgaria; Bulgaria was giving Romania Southern Dobrogea, until the Turtucaia – Ecrene line, the Cadrilater belonging to Romania.

The Danube frontier between Romania and Bulgaria had been regulated by means of the **Convention for the delimitation of the Danube frontier (Sofia, 1908)**, stating that the frontier line is the one passing through the middle of the river (when there is a single river bed) and on the middle of the arm containing the thalweg, when the river is separated by islands, in several arms (Art. 1); the islands were divided (the **Minutes** concluded on 11 October 1908 in Bucharest is the document that distributed the islands, in accordance with the provisions of the Convention). In 1909, Giurgiu and Bucharest hosted the works of the Mixed Commission regarding taking possession of the islands, as per the Convention of 1908. Although the Danube frontier remained unchanged so far, the land frontier was amended by the **Treaty of Craiova** (7 September 1940), the frontier segment between Romania and Bulgaria, comprised between the Danube and the Black Sea is modified, following the route in the **Protocol** (Art. I); this frontier is declared final and perpetual, each of the parties undertaking to no longer formulate any territorial claims (Art. II). The Protocol signed at the same date, describes **the frontier that starts immediately upstream from Silistra, until it reaches the Black Sea, 8 kilometres from Mangalia**.

In the following period, a series of conventions and understandings between the two parties were concluded: the convention on the settlement of conflicts and frontier incidents, the Agreement on the facilitation of passenger traffic (1971), a series of understandings regarding the cooperation specific to a proper neighbouring relationship etc.

f. The Reunification of Romania with Bessarabia¹¹ was sanctioned by the **Main Allied Powers** (the British Empire, France, Italy and Japan) and **Romania**, by means of the **Paris Treaty**, signed on 28 October 1920; the treaty did not become effective, as it was not ratified by Japan. Art. 1 stipulates that “The High Contracting Parties recognize the sovereignty of Romania over the territory of Bessarabia, comprised between the current frontier of Romania, the Black Sea, the course of Nistru, from its mouth to the point where it is crossed by the former border between Bucovina and Bessarabia, and this former border.”

The regain of Bessarabia by Romania was not only **legitimate**, but also **compliant** to International Law – as stated in the Treaty. In its preamble, it is stated that it is in the interest of general peace in Europe to assure the sovereignty of Bessarabia, corresponding to the aspirations of the population, and that “from all points of view – geographic, ethnographic, historical and economic, the unification of Bessarabia with Romania is fully justified.”

The Czarist Russia, defeated in battle – after the armistice, concluded the Peace of **Brest-Litovsk** with the **Central Powers**, leaving the **Allied and Associated Powers**. Due to its internal unrest (civil war) and the overtake of power by the Bolsheviks, it did not take part in the Conference or the Treaty; therefore, a legal issue was raised: a treaty only produces effects between its contracting parties (*pacta tertiis nec nocent nec prosunt*) and it cannot impose obligations on a State that it did not agree to (Art. 34 of the **Convention for the Codification of Treaties Law**, and international case law). That is why in Art. 9, it is mentioned that, since Russia was no longer among the participants to the Conference and there was nobody there representing it, the High Contracting Parties were considering inviting it to adhere to this Treaty, as soon as the country had a government that they recognized; they reserved the right to submit to the arbitration of **the Council of the League of Nations** the issues raised by this government, stating that “it is well established that the borders set by this Treaty, as well as the sovereignty of Romania over the lands that it encompasses, will not be subject to discussion.” (Art. 9). The decision of the Conference, in this regard, was founded and had legal value, because the Conference had established the conditions of peace and the new order for the purpose to assure durable peace and was entitled to do so, by the decision expressed in that Treaty.

The Treaty of Sèvres (10 August 1920), concluded between the main **Allied and Associated Powers** and **Poland, Romania, the State of Slovenes, Croats and Serbs** and **the Czechoslovakian State** regarding certain borders of these States, stipulates in Art. 3-5 as north-eastern frontier of Romania a line that would be established later.

¹¹ Despre frontiera româno-sovietică, ucraineană, moldovenească, v. Ion M. Anghel, *Tratate ... și tratate, Pagini din diplomația României*, Editura Junimea, vol. II, pp. 135-175 and *The Eastern Frontier of European Union – expression of The Past/Future Binome*, in *Annals, Series on History and Archaeology*, 2015, pp. 38-48.

Yet a regulation of the frontier with Russia only took place in 1940; this was the Moscow Ultimatum, dictate, which took place one year after **the Ribbentrop – Molotov Pact (1939)**, in which time the USSR prepared to attack Romania and refused the regulation of the border. USSR's policy with Romania was of continuous bullying and threat. The array of negotiations that followed after the signing of the conventions regarding the definition of aggression (1933) could not lead to the establishing of the diplomatic relations, because Russia insisted in mentioning the issue of Bessarabia as a difference; it was only in 1934 when the normalization occurred, without regulating the issue of the frontier.

The **Protocol** concluded between **Nicolae Titulescu** and **Maxim Litvinov (1936)** regarding the mutual assistance within **the League of Nations** provided the commitment that “the Soviet troops cannot pass the Nistru without a formal request approved by the Royal Government of Romania,” and that “at the request of the Royal Government of Romania, the Soviet troops must retreat immediately from the Romanian territory, East of river Nistru.”

The **Additional Protocol to the Soviet – German Pact (23 August 1939)** stipulated that “With regards to South-Eastern Europe, the Soviet party expresses **its interest in Bessarabia**. The German party declares its total political disinterest regarding these territories.” The regulation of the border between Romania and Russia is mentioned in the **Armistice Convention** and in the **Peace Treaty (1947)** – “Romanian frontiers ... will be those in effect as at 1 January 1941...” And as an explanation, the contents of the **Armistice Convention** were added – “The Soviet-Romanian frontier is thus established in accordance with **the Soviet-Romanian Agreement** of 28 June 1940” (Art. 1).

By the **Moscow Ultimatum** of the Soviet government of 26 June 1940 (10 PM), the Romanian Government was urged “to return Bessarabia to the Soviet Union at any cost,” and “to transfer to the Soviet Union the north of Bucovina, with the frontiers in accordance with the attached map” – the forms show – yet it was known that this part of Romania had never belonged to Russia; “the Soviet Government awaits the answer of the Royal Government of Romania during the date of 27 June of this year,” – which results that the evacuation operation should have commenced long before the formulation of the request. The **Ultimatum** of the night of 27/28 June 1940 requested the Romanian troops to evacuate the territory of Bessarabia and Bucovina within four days, and in the same day, for the Soviet troops to occupy the main points on its territory; the Soviet troops did, in fact, occupy, even since the day of 28 June – the last day of the term, which is a gesture that demonstrates an armed aggression in its typical form; the description of the imposed schedule and the measures taken representing the classic form of an armed aggression.

The Paris Peace Treaty (1947), describing the frontier line referred to in the treaty, is followed by **the Protocol** of 1948 and 1949, besides the **Minutes**

handing over the **Snake Island (1948)**; of importance is also the **Treaty** on the regime of the State frontier, collaboration and mutual assistance on frontier issues (1961), which recaps former documents; a series of other documents regarding the traveling regime between the two countries, the small frontier traffic etc. The border between Romania and Ukraine is identical, to the border between Romania and Russia (“as defined and described in the Romanian-Soviet Treaty of 1961”).

g. The **Peace Treaty with the Ottoman Empire** (Sèvres, signed by Romania at 10 August 1920) did not take into account the establishment of the frontier between **Romania** and **Turkey**, as these countries were not neighbours, nor had there been any territorial amendments of the latter; the issue here was the recognition of the new States, with their territorial amendments, based on the decisions of the Peace Conference, considering that Turkey had taken part in the war – being belligerent, as well as its location in an area that had suffered from frontier shifts. Therefore, the participation to this Treaty was of interest to Romania.

That Treaty provided the obligation of the **Ottoman Empire** to recognize the full validity of the **Peace Treaties** and their additional consequences, which were concluded by the Allied Powers with those who had fought together with Turkey; to accept the provisions that had been or were going to be taken regarding the former German Empire, Austria and Bulgaria, and recognize the new States in the thus-established frontiers (Art. 133). It was provided that the Ottoman Empire recognized the frontiers of Greece, Austria, Bulgaria, Hungary, Poland, the State of Slovenes, Croats and Serbs and the Czechoslovakian State, as mentioned in Art. 133, or by all the complementary Conventions (Art. 134). Therefore, Turkey was bound by all the decisions adopted at the Conference, and this obligation was also valid for Romania, as part to this Treaty.

A second aspect of interest to Romania was the regime of the Black Sea. Romania had not participated at **the London Conference** (15-17 February 1920), in order to defend its viewpoint, when the Prime-Ministers of **England, France** and **Italy** decided to establish an **International Commission of Straits**, of which only their representatives and those of the US would be part; although it had insisted on it, Romania – as bordering the Black Sea and having the right to participate, to the **Conference of San Remo (1920)**, the Supreme Council took this application into account only partially, assigning to Romanian representatives an inferior status.

The conclusion is sad and disappointed, as our country never returned to the borders of **Greater Romania**, because what our forefathers accomplished, is an impossibility, for our officials of today are not endowed with such a patriotic gift and lack the vocation of sacrifice.

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