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TOP SECRET

B Q D - M - 22
16 January 1962
(enclosures attached)

## Recommendation by the Governments of France the UK, and the US Concerning Relationships Between NATO and the Three Powers in the Planning and Control of Berlin Contingency Operations

1. The North Atlantic Council has approved the basic Instructions to NATO Military Authorities, the purpose of which was to initiate the preparation by major Allied Commanders of NATO military plans to put the Alliance in a position to cope with actions by the Soviet Bloc in a Berlin crisis. The Council, in issuing these Instructions, ~~recognised~~ was fully cognizant of the relationship which the resultant plans must bear to the tripartite planning (LIVE OAK) being conducted to enable the governments of France, the UK, and the US to carry out their special responsibilities concerning Berlin. The Council therefore directed that there must be full coordination between this LIVE OAK planning and NATO planning.

2. It is the hope of all concerned that Allied objectives with respect to Berlin can be achieved without the necessity that action under any of these military plans be taken. It is moreover clearly understood that all plans prepared are subject to governmental approval, and that the execution of approved plans will be the subject of still additional decisions by governments at the time. It may therefore appear premature to consider at this time the relationships which should exist between NATO and tripartite authorities in the control as well as the planning of such operations as may finally be approved. On the other hand, full understanding and agreement concerning these matters is necessary in order that General Norstad, in particular, may have adequate guidance on which to

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organize, direct, and coordinate the planning and operational staffs which support him in his NATO responsibilities as SACEUR and his tripartite responsibilities as USCINCEUR.

3. In the light of these facts, the Governments of France, the UK, and the US wish to present for Council consideration their joint view concerning the relationships which should exist in the planning and control of Berlin contingency operations.

4. There are two basic and in some respects competing sets of considerations involved in this problem :

a. On the one hand, the security interests, common objectives, and forces of all NATO nations will be threatened if the Soviet Bloc seriously challenges the continued freedom of Berlin. From the purely military viewpoint, therefore, it would desirable that NATO military authorities conduct both planning and operations from the outset.

b. On the other hand, since ~~only~~ the Three Powers have a special and direct responsibility for Berlin, they must be the principal guarantors of its freedom and security and be prepared to act promptly and effectively if this freedom and security is to be maintained. From the political-juridical viewpoint, therefore, responsibility for planning and execution of possible initial military operations should remain tripartite.

5. The essence of this problem is to achieve a solution representing the best balance between these competing factors, and one which is in the best interests of all concerned. To this end, the Governments of France, the UK, and the US propose that the following relationships be agreed and furnished as guidance to NATO

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Military Authorities in amplification of the Instructions recently issued.

a. Planning :

(1) In ground access contingency planning (but not in operations, which are covered below), tripartite (LIVE OAK) responsibility should extend through possible division-level support of initial probes. In air access contingency planning, tripartite (LIVE OAK) responsibility should extend through possible fighter actions in the air corridors to protect air transport operations. Possible ground operations involving forces in excess of a division, and more extensive air operations than those indicated above should be planned by NATO staffs in accordance with the recent "Instructions to NATO Military Authorities".

(2) In order to effect this division of the planning effort :

(a) The LIVE OAK staff should remain a joint and separate entity, but General Norstad should coordinate its planning with that of NATO staffs to the extent he considers appropriate.

(b) Only tripartite NATO commanders directly involved must have complete knowledge of initial (LIVE OAK) operational plans, but General Norstad should inform the appropriate NATO commanders and their staffs of LIVE OAK operational plans to the extent he considers necessary.

b. Operations :

(1) NATO forces should be put in an appropriate alert condition prior to tripartite operations. The recent Instruction to Military Authorities directed that plans to this end be developed.

(2) Initial tests of intentions, both ground and air, and larger elements initially committed, either ground or air, should involve tripartite forces only, under tripartite command.

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(a) In the case of ground access operations, it would be possible (particularly after the buildup) to commit tripartite forces of significant size before the forces of other NATO nations need become involved. However, such forces should operate under NATO command.

(b) In the case of air access operations, tripartite forces and command and control mechanisms are adequate to conduct such operations as long as they are restricted essentially to the geographic limits of the air corridors. However, should operations be required outside of the corridors to maintain air superiority, NATO command and control systems should become involved.

(c) Considerations of geography and force deployments give the Government of the Federal Republic of Germany a particular interest in initial operations, and FRG forces possess the greatest capability to support tripartite operations. For these reasons, FRG forces should be considered as immediately available reserves. The German forces, like all other non-tripartite forces, should be committed only in accordance with political decisions and after the NATO military authorities have assumed full control of operations.

(d) It is essential that appropriate NATO military authorities be kept fully informed as to the progress of all initial operations and fully prepared to direct further operations should the situation require.

(3) The transfer of control from tripartite to NATO mechanisms should occur:

(a) In the case of ground access operations, when tripartite forces of battalion or greater size had been subjected to armed attack by Soviet of "GDR" forces and required reinforcement. (Initial reinforcement

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would be by tripartite military units, but under NATO control.) Under other possible conditions, the transfer would be a matter for political decision at the time.

(b) In the case of air access operations, at the point when an escorted flight had been unmistakably engaged in combat by Soviet or "GDR" aircraft or ground defenses, and immediate tripartite response had not caused the Soviets/"GDR" to desist. Under other possible conditions, the transfer would be a matter for political decision at the time. (See Enclosure 2)

c. General:

(1) In all cases, as provided in earlier understandings and instructions:

(a) The Three Governments will be ready, time permitting, to advise and enter into consultation with the North Atlantic Council prior to implementing LIVE OAK plans.

(b) All plans prepared by NATO commanders will be sent to the Standing Group for appraisal in consultation with the Military Committee in accordance with established NATO procedure and forwarded to the NAC for approval by governments through the Permanent Representatives.

(c) The execution of approved plans will be the subject of decisions by governments at the time.

(2) Within these limits, and consistent with basic political purposes, military commanders should have maximum flexibility in both planning and operations.

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Enclosure 1

## Other Conditions Under Which Transfer of Control in Ground Operations Might Occur

1. **When a "probe of intentions" of less than battalion size has been taken under fire.**

This is a situation in which maximum flexibility would be desirable from all points of view. The other side would have committed an armed attack against Allied forces exercising their clear right of transit. Possible actions on the part of the West would be to :

a. Press the action with larger forces, with or without an intervening protest, or

b. Withdraw for a period of protest and clear statement of intent, in order to allow the Soviets time to reflect on the grave consequences involved in further violent denial of access.

In either case, it could be contended that members of the Alliance had been attacked and the NATO treaty could be invoked, passing control to NATO. This might, however, involve questions of legal interpretation. The action would have certain military advantages in that NATO would be the more ready to take on larger actions, but it would have the serious disadvantage of political escalation which could prove highly undesirable. For example, other NATO nations could be accused of acting in a situation in which they had no recognized rights.

Even in case a., the Soviet/GDR reaction could possibly be to allow a larger force to transit the autobahn unmolested. In this event, it would be advantageous to leave matters a tripartite responsibility. One the larger force was taken under fire, control could be passed to NATO. (These arrangements would, of course, have received prior agreement in principle from NATO authorities).

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Enclosure 2 :

## Other Conditions Under Which Transfer of Control in Air Operations Might Occur

1. When a violent Soviet/GDR air attack against our initial escort operations has occured.

Current planning is based on the premise that the Soviets will apply graduated military force to deny air access, in selective attacks against transports and escort fighters. This would be a situation with which tripartite forces could contend. If, however, the Soviets were to react by massive sweeping of the air corridors and nearby air space, control should immediately pass to NATO.

Should military action in the corridors build up more gradually, and the point be reached where an escorted flight had been unmistakably engaged in combat by Soviet or "GDR" aircraft or ground defenses, the risks of rapid escalation involved in subsequent Allied military actions necessary to defend air access would argue strongly for transfer of control at this point.

2. When escort operations have resulted in a Soviet decision to allow continued air access, but there is evidence that the USSR is preparing for a big air battle in the corridors.

Such a situation is less likely to occur than those already considered, but is conceivable. It could result from a Soviet political decision to defer a military crisis in the air corridors and prepare for an overwhelming attack when the right moment arrived. Under such conditions, military considerations would demand that the Alliance stand completely ready for immediate large-scale air action. This would involve even higher degrees of alert, full activation of the air defense system, possible deployment of units, and the like. A political decision would be appropriate to invoke the NATO Treaty on the basis of the imminent threat, and to pass control to NATO.

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Once a force the size of a battalion was engaged in a firefight, military considerations would prevail, and control should be passed.

In case b., it would certainly be preferable to retain tripartite responsibility during the "waiting" period.

The above would indicate that a political decision rather than automatic transfer of control would be appropriate when a small probe had been fired upon. If the political decision was to commit a battalion probe down the autobahn, this decision should carry with it the automatic transfer of control when and if the force was subjected to armed attack.

2. When really significant forces (on the order of a division) have been committed, even though no earlier force had yet been fired upon.

Such a situation is less likely to occur than those already considered but is conceivable. It could result from a political decision to follow a battalion probe (which had not been attacked but was stalled by passive obstacles and under threat of attack) with reinforcing elements. In such a case, the military and political commitment would already be so great as to justify transfer of control to NATO at the same time.