MEMORANDUM FOR: Assistant Chief of Staff, Intelligence
Assistant Chief of Staff, Organization and Training
Assistant Chief of Staff, Logistics
Assistant Chief of Staff, Personnel and Administration
Assistant Chief of Staff, Plans, Policy and Operations
Chief Signal Officer

SUBJECT: Machinery for Consultation with German Authorities

REFERENCES: (a) Message SGN, SCO IN 8879, 9 November 1954
(b) Message CINCENT, SCO IN 8462, 22 October 1954

The study at enclosure is approved for SHAPE Staff guidance.

FOR THE CHIEF OF STAFF:

S. K. EATON
Colonel, US Army
Secretary

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1 Encl
Study

DECLASSIFIED - PUBLICLY DISCLOSED - PDN(2012)0008 - DÉCLASSIFIÉ - MIS EN LECTURE PUBLIQUE
Machinery for Consultation with German Authorities

REFERENCES:  (a) Message SGN, SCO IN 8279, 9 November 1954
(b) Message CINCENT, SCO IN 8462, 22 October 1954

I. PROBLEM

1. To develop a SHAPE position regarding present and future contacts with the German Federal Republic.

II. FACTS BEARING ON THE PROBLEM

2. In view of SACEUR's new responsibilities with regard to future German Armed Forces, certain planning must be done in anticipation of German entry into NATO. Accordingly, some present means of conducting direct consultation with the Germans is desirable.

3. Standing Group has authorized SACEUR to advise German Authorities on a need-to-know basis in reply to specific questions, and has instructed SHAPE to keep its contacts with the Germans as discreet as possible, reference (a).

4. Two AFCENT officers have been designated as SHAPE/AFCENT observers to follow and report on the present activities of the Special Security Committee of HICOM at Bonn, reference (b).

5. In his meeting of 27 October, the Chief of Staff stipulated that SHAPE contacts with the Germans would be cleared through the office of the Chief of Staff.

III. DISCUSSION

6. In principle, SHAPE's relationships with the Germans during the period before German entry into NATO should be such as to assure the smoothest transition into the period when Germany is a co-equal member of NATO.

7. In SHAPE's relations with the Germans, it is apparent that there will be two distinct phases:

   a. The First Phase extends from the present until the entry of Germany into NATO. Throughout this phase, SHAPE's contacts with the Germans will be as directed by higher NATO authority. The present authorization for such contacts is as stated in paragraph 3 above.

   b. The Second Phase begins when Germany enters NATO. She will then have her NMFR at SHAPE as the link with national military authorities.

8. In the First Phase, as long as the High Commission remains in existence, SHAPE's formal contacts with German Authorities in Bonn should continue to be through its Special Security Committee as at present. With Germany becoming a sovereign nation, the High Commission and its Security Committee will disappear. Certain residual powers will remain with the former occupying authorities in accordance with contractual agreements. These are valid even after full German entry into NATO and will be discharged, if and where necessary, by the Ambassadors of the former Occupying Powers and such other organization as they may establish for the purpose.
9. It is possible that the three Occupying Powers might complete their action on German sovereignty before NATO membership for Germany has been approved. In this event, there would be an interim period during which Germany will have sovereignty but before she can establish normal NATO relations. This condition, however, can in no way be construed as changing the status of Germany with respect to NATO. Germany will not then be a member of NATO and, therefore, no formal relationship can be established. It would appear that our liaison officers should continue to operate under the same terms of reference and to work with such organization(s) as the three former Occupying Powers may establish. It is considered that these liaison officers should not enter into any official contact with the German Authorities on behalf of Allied Command Europe during this interim period.

10. In connection with the above, it should be noted from the Standing Group message, reference (a), that the NATO Council or the Standing Group does not intend to have SACEUR deal unofficially with German Authorities through the former Occupying Powers and their Special Security Committee or any successors thereto during any interim period. On the contrary, the Standing Group has authorized SACEUR to deal directly with the Germans on specific problems.

11. It is understood that General Spedicel now has a small staff at Paris which might later provide the nucleus of a German NMR. This group will serve as a present point of contact for SHAPE in accordance with the Standing Group directive. To ensure discreetness, contacts should be limited to visits of certain specified SHAPE officers on specific problems. German visits to SHAPE and AFCEMT during this period should not be authorized. As and when appropriate, SACEUR may authorize AFCEMT to contact this group on specific projects.

IV. CONCLUSIONS

12. In SHAPE's relationship with the Germans there will be two phases:

a. When Germany is not a member of NATO, and

b. When Germany is a member of NATO.

13. SACEUR is now authorized by the North Atlantic Council and the Standing Group to advise German Authorities on a need-to-know basis in reply to specific questions. This authority should be centralized in SHAPE.

14. The North Atlantic Council, or the Standing Group, will keep SACEUR informed and will revise his authority to deal with the Germans as necessary and appropriate. SACEUR should be prepared to make appropriate recommendations as indicated in this regard.

15. Pending the granting of sovereignty to Germany, SACEUR should deal with HICOM or its agent, the Special Security Committee, in areas of its responsibility.

16. Our present system of liaison officers is adequate for the time being. The liaison officers should be limited to the terms of reference set forth in CINCENT's message 350 IN 8462 of 22 October 1954, reference (b). These officers should not enter into any official contact with the German Authorities on behalf of Allied Command Europe.
17. No decision should be made at this time on the SHAPE role or relationship during any possible interim period between the granting of sovereignty and entry into NATO. When and if the requirement is clear, and the nature of the task to be undertaken has been spelled out, a decision can be made.

18. Normal NATO relationship will be established and maintained upon Germany's entry into NATO and all interim solutions should be designed to further this objective.

19. Informal liaison on matters affecting the raising and training of German forces can be maintained, to the extent authorized by NATO, through the Speidol Group in Paris.