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Comments on BQD-M-22

The aim of this paper is to demarcate the responsibilities of SACEUR in planning and conducting Live Oak operations in his capacity as agent of the three Powers responsible for Berlin and the area of his responsibilities as the Major NATO Commander concerned in any extension of tripartite operations which involved the rest of the forces of the Alliance. It sets out to show just how the two separate but inevitably related sets of planning should be dovetailed. It also sets out to do the same for any operations which might ensue dealing particularly with the point of transition through tripartite control to multilateral control. The usefulness of the paper is that it makes it clearer to member countries than the three Berlin Powers at what point they would become directly involved in a Berlin military crisis and thus at what point the Council would assume direct political responsibility for deciding the employment of force.

2. There does not appear to be any fundamental inconsistency between this paper and PO/61/765 or C-M(61)104, but one cannot refrain from the general observation that if the arrangements to which the Council is now being asked to give its approval have not already been long in train, the Alliance must be in a sorry state indeed. This being said, there are one or two obscurities (if not apparent inconsistencies) within BQD-M-22 itself, and one or two new points which are not to be found in either PO/61/765 or C-M(61)104. In other respects the paper remains faithful to the more important principles set out in PO/61/765 and C-M(61)104 regarding such questions as prior consultation with the Council before execution of Live Oak plans, the submission to the Council of the plans to be prepared by Major Commanders (as opposed to SACEUR acting in his tripartite capacity) and the political responsibility of the Council for executing these NATO plans.

3. On points of detail -

Para 2: In view of the earlier remark it is questionable whether it is really "premature" to consider the relationships between NATO and the tripartite authorities (see 3rd sentence).

Para 5a.(1) and Para 5(3)(a): There is a possible inconsistency between the statement that tripartite (Live Oak) planning responsibility should extend through possible division-level support (para 5a.(1)) and the statement that NATO should take over control when tripartite forces of battalion or greater size have been subjected to armed attack and require reinforcement (para 5(3)(a)). This seems to mean that all ground operations involving forces up to a division would be planned tripartitely, but that once the actual operations had got beyond battalion scale the NATO Commanders as such would take over responsibility for implementing plans which they had not themselves made. Para 5b.(2)(a) supports this view.

4. The same considerations apply in the case of air operations if para 5b.(2)(b) is set against para 5(3)(b). On the one hand it is suggested that the tripartite forces can cope with any actions geographically limited to the air corridors, on the other it is stated that if an escorted flight in the corridor had been unmistakably engaged in combat by the Soviets, transfer of control from tripartite to NATO mechanism should occur. Whether this is a real inconsistency or not, it does bring out the fact that the distinction between Live Oak planning and planning for NATO action to supplement Live Oak operations is highly artificial. It also casts some doubt on whether para 5a.(2)(b) is really meaningful, since it is hard to comprehend how the non-tripartite NATO Commanders can plan effectively without complete knowledge of Live Oak operational plans. However, it is noted that it is left to General Norstad's discretion how much information about Live Oak he may communicate to the latter. It should also be noted that this sub-paragraph contains a new thought.

5. Other new points appear to be -

First, 5b.(2)(c) which places the Federal German forces in a special category as "immediately available reserves" in the event of the extension of Live Oak operations. It is noted, however, that commitment of German forces would only occur after the NATO military authorities had assumed full control of operations, prior to which there would have to be a Council decision; and

Second, that under 5c.(2), which provides that military Commanders should have the maximum flexibility in both planning and operation. This does not seem likely to be contested, nor does it add very much to the picture. It is presumably intended to create the impression of complexity which emerges from reading the rest of the paper which precedes it.

6. Where appropriate I have marked at the side of the various paragraphs the corresponding references in FO/61/765 and C-M(61)104.