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246
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Air Access

September 23, 1961

TO: EUR - Mr. Kohler
FROM: GER - Martin J. Hillenbrand
SUBJECT: Air Access.

I enclose a paper prepared by the Military Committee on air access, which sets forth the position of the U.S., U.K., and France on what should be done in various contingencies. In brief, the paper indicates:

1. There is tripartite agreement only that civil flights should be kept going as long as possible;
2. The U.S. and U.K. agree up to the point that the Soviet/GDR fires at an Allied aircraft from the ground; and
3. The main disagreement with the French is over whether Governments or Norstad will decide when to introduce military transports and/or fighters.

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STATUS OF QUADRIPARTITE PLANNING ON AIR ACCESS AS OF 22 SEPTEMBER 1961

34

CONTINGENCY	RESPONSE	POSITION OF GOVERNMENTS (All planning has been accomplished by the U.S., U.K., & French Govern- ments in consultation with the FRG)	ACTION REQUIRED
1. Harassments not affect- ing flight safety.	(a) Continue present civil and military flights.	Agreed	None
	(b) Fighter aircraft excluded from air corridors on political grounds but legal right to do so maintained.	Agreed	Advise General Norstad.
	(c) Continue current practice of flying high FRG government officials in mili- tary transport under instructions to avoid, if possible, landing in East Germany.	Agreed current practice.	Answer General Norstad's recommendation on this point.
2. Harassments without use of force affecting flight safety.	Continue civil flights as long as practicable from flight safety view.	Agreed	Confirm to General Norstad.
3. (a) Airlines and/or tech- nical authorities determine regular civil flights unsafe or impractical.	(a) Continue civil flights on reduced scale with military air crews in uni- form. (Flights on this basis may be instituted for individual airlines.) General Norstad at his discretion may fly probe flights without passengers.	UK-US agreed position. French position stated in 3 (f).	(1) Each of the two govern- ments to complete legal and financial arrangements with civil air carrier. The US believes that initiation of action does not depend on completion. the UK position on the latter point is not established. (2) Request General Norstad to estimate readiness date for the flights.

<u>CONTINGENCY</u>	<u>RESPONSE</u>	<u>POSITION OF GOVERNMENTS</u>	<u>ACTION REQUIRED</u>
3. (Continued)	(b) Supplement such flights with military transports as practicable and necessary to maintain traffic as required.	UK consider General Norstad should have discretion. US position under consideration. French position stated in 3 (f).	Obtain tripartite agreement.
	(c) Civil and military flights controlled by Ramstein Command Post.	US, UK, and French agree for military flights. French reserve position on civil flights.	Tripartite agreement desirable. Request General Norstad to estimate readiness date.
	(d) Take action to prevent hi-jacking (armed guards and locked cockpits) of civil aircraft with military crews.	US and UK concur; General Norstad should have discretion. French no objection.	Inform General Norstad.
	(e) Before flights initiated Governments through Ambassadors in Bonn issue statement on following lines. Because of Soviet/GDR action the governments of the US, UK, and France have found it necessary to assume some additional responsibilities for safe continuation of air traffic to Berlin. Accordingly, the governments concerned will take appropriate measures to achieve this, including as necessary, the provision of fighter protection, and in some cases, military crews to fly civil air transport. The three governments hold the Soviet Union responsible for any incidents which follow.	US and UK agree. French position under consideration.	Obtain tripartite agreement.

CONTINGENCY	RESPONSE	POSITION OF GOVERNMENTS	ACTION REQUIRED
3. (Continued)	<p><u>French Approach</u> (f) Shift to military transport. Continue civil flights without passengers on reduced scale with requisitioned civilian crews.</p>	<p>French position: shift to un-escorted transport while continuing a few civil flights without passengers with requisitioned civilian crews as long as military transports meet with no opposition</p>	<p>Tripartite agreement desirable.</p>
<p>(b) Soviet/GDR physical harassments of civil flights with military crews or military transports.</p>	<p>General Norstad at his discretion authorized to use fighter protection on basis of JCS instructions of 31 August 1961 and JACK PINE II rules of engagement.</p>	<p>US-UK agreed position. French position: decision to introduce escorts will be taken by governments.</p>	<p>Tripartite agreement desirable.</p>
<p>4. A civil or military transport is shot down or forced down by military action.</p>	<p>If in these circumstances General Norstad considers it inappropriate to proceed as in 3 above, shift to military transport on a tripartite basis. General Norstad at his discretion may initiate fighter protection on the basis of the JCS instructions of 31 August 1961 and the JACK PINE II rules of engagement. First flight may be unescorted and without passengers. Before flights started, three governments through their Ambassadors at Bonn would issue appropriate public statement to effect that airlift will continue and necessary measures will continue to be taken to protect transports.</p>	<p>Agreed by US-UK. French position: shift to military transports should be announced by three governments which would point out that military flights will be escorted if there are obstacles to their passage and that there will be a reply in case of attack. The actual decision to introduce escorts will be taken by governments. French position "governing principles": 1. Legitimate defense can be envisaged only in the case of an aircraft which, when attacked in the air, is able to defend itself; this is the individual reply to an attack which is normally admitted.</p>	<p>Tripartite agreement desirable.</p>

CONTINGENCY	RESPONSE	POSITION OF GOVERNMENTS	ACTION REQUIRED
4. (Continued)		2. Response in the air should of course be prepared, but such response could actually take place only after agreement between the governments concerned.	
5. Ground-to-air action against flights in corridors by obstacles and surface-to-air firing.	To destroy barrage balloons or other obstacles within the corridors on the Berlin Control Zone which are endangering safety of flight and to attack those ground targets, excluding airfields, in or immediately adjacent to the air corridors which can be specifically identified in the act of firing at Allied aircraft.	<p>Under consideration by US Government.</p> <p>UK agrees Norstad should have discretion to destroy barrage balloons and opposes any further action without prior government approval.</p> <p>French position: In the case of balloons which might be flown around Berlin to block our airports, we might have to destroy them but this would be done only after government announcements.</p> <p>In the case of ground-to-air attack against air transports or fighters, no decision is taken for the moment. General Norstad should be requested to elaborate on the measures he is contemplating.</p> <p>French position "governing principles":</p> <p>1. Legitimate defense can be envisaged only in the case of an aircraft which, when attacked in the air, is able to defend itself; this is the individual reply to an attack which is normally admitted.</p>	Tripartite agreement desirable. Additional JACK PINE planning awaited.

<u>CONTINGENCY</u>	<u>RESPONSE</u>	<u>POSITION OF GOVERNMENTS</u>	<u>ACTION REQUIRED</u>
5. (Continued)		2. Response against the ground should of course be prepared, but such response could actually take place only after agreement between the governments concerned.	
6. Soviet/GDR measures to endanger flight safety by ECM activity.	Improve VFR capability in area and institute newest ECCM equipment and procedures.	Agreed by US. Under consideration by UK, French, and FRG governments.	US to provide requisite information, plans, and equipment to accomplish this, subject to conclusion of necessary arrangements between governments.
7. Expansion of air-to-air or air-to-ground conflicts beyond the levels listed above.	Planning by LIVE OAK for large-scale military operation with transition from LIVE OAK responsibility to NATO.	Under consideration by governments.	Advise General Norstad of decision.