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GERMAN STATEMENT ON EXCEPTION TO DIRECTIVES
TO GENERAL NORSTAD ON LIVE OAK

We have not objections against asking General Norstad to study and recommend plans as foreseen in this paper. This would not mean, however, that my Government is by any means committed to accept the plans or to agree to their execution.

This reserve refers especially to the "expanded non-nuclear ground operations" as mentioned under part 6 b (1). I should like to draw your attention to the relevant remarks made in the German working paper on blockade, where we expressed very serious objections against the feasibility of such an operation.

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EO 12958, Sec. 1.3 (a)
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Talking Paper for Discussions with Stikker regarding his Memorandum of September 2, 1961 to the Four Governments

1. We regret that there was any misunderstanding regarding the status of the instructions to General Norstad which were conveyed to you by the four Permanent Representatives on September 1, 1961. The word "draft" had been used in the title of the document to indicate its status prior to Four Power agreement which was obtained on September 1, 1961 and which made the instructions operative from the Four Powers to General Norstad in his Live Oak capacity. In conveying the instructions to you as soon as they had been agreed, it was not our intention that you should assume responsibility for their contents. On the contrary, we regarded this as the first necessary step toward the coordination with NATO specified in Paragraph 7c of the Instructions, and we wished thereby to obtain your advice regarding the best means of proceeding with this coordination. In particular, we meant to seek your counsel in preparing a statement in which the Four Powers would inform the NAC of the instructions to General Norstad and would make any appropriate suggestions regarding further coordinations with NATO.

2. We agree with your statement of the tasks which are incumbent on the Secretary-General and support you fully in your performance of these tasks.

3. We wish to confirm the understandings regarding the instructions as set forth in Paragraph 4 of your message. They conform fully to the premises on which we based the preparation of the instructions, and which we endeavored to reflect in the instructions. We are considering certain drafting changes (see text of instructions) which may help clarify the intent of the instructions in this regard, and would be interested in any further suggestions you may have. While we believe it would be best, for reasons of military security not to circulate to the NAC the exact text of the instructions, we do wish to inform the NAC of their full substance, omitting only certain detailed references which relate to existing contingency plans.

4. We have in mind accompanying the substance of the instructions with an explanation which includes the following points;

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- (a) The instructions prepared by the Three Powers, in association with the FRG are an extension of instructions originally issued to General Norstad as U.S. CINCEUR, acting for the Three Powers in connection with their Berlin responsibilities, rather than as SACEUR.
- (b) The instructions are intended exclusively to enable further military planning and they make it clear that the execution of approved plans would be the subject of separate political decisions to be taken at the time.

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- (c) The instructions are not intended to create any new arrangements for the exercise of political or military authority. While the instructions point out the necessity of continuing liaison between General Norstad and the Four Power Ambassadorial Group for expeditious handling of Live Oak planning, this liaison is not intended to prejudice arrangements with respect to planning or the exercise of political or military authority for NATO as a whole.

- (d) We recognize that all NATO Governments are directly concerned with the implications of the military plans and with the political decisions and military command arrangements that would govern their execution. Therefore, we believe there should be careful consideration in NATO of the planning guidelines and of the results of the planning. (We must recognize, however, that in an emergency full consideration of plans and even decisions through normal channels may be impossible and that it may be necessary to devise some other arrangements for their expeditious handling.) The instructions to General Norstad specify that, while he should proceed with the development of contingency military plans, the Governments concerned will effect coordination with the appropriate NATO authorities regarding those provisions that fall within NATO competence. The instructions also invite General Norstad's recommendations concerning means of securing continuity of military control during transition from tripartite Berlin measures to control by established NATO mechanisms. We have not attempted an allocation of provisions and measures as between NATO and Tripartite competence, and would wish this to be worked out carefully in consultation with the appropriate NATO authorities.

- (e) The statement to the North Atlantic Council refers to existing contingency military plans. Detailed information on these must for obvious reasons of security be handled on a highly restricted basis. Arrangements are being made to communicate details through military channels to the other NATO Governments concerned.

5. We acknowledge the force of your observations regarding the need for new rules and appreciate your offer to help in developing them. We would be most interested in whatever suggestions you may have on the formulation of such new rules. However, we believe this is a question on which great caution must be exercised in view of its sensitivity and to avoid its interference with rapid progress in the all important substance of NATO planning for all aspects of the Berlin situation.