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Document # 204

18 April 1966

OCI No. 0805/66

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INTELLIGENCE MEMORANDUM

THE NATO PROBLEM: FRENCH FORCES IN GERMANY

DIRECTORATE OF INTELLIGENCE

Office of Current Intelligence

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CENTRAL INTELLIGENCE AGENCY
Office of Current Intelligence
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INTELLIGENCE MEMORANDUM

The NATO Problem: French Forces in Germany

Introduction

A key element in the current France/NATO argument is the status of French forces in West Germany after 1 July 1966 when, according to the present French timetable, those forces will no longer be committed to NATO. Although the French forces make some contribution to the over-all Western defense posture on the central front, they are important primarily because of their political significance for France and Germany and for many European countries with a latent fear of Germany. The issue also is the first major item in the French timetable. France can end the NATO assignment of its forces unilaterally, but the nature of any new agreement on the maintenance of non-NATO French forces in Germany could go a long way toward setting the tone and style of future negotiations on the other problems that the Alliance will have to tackle. All concerned will view the outcome on this issue as a significant indicator of the strength of French intent to press ahead, with or without compromise, in carrying out the rest of the program of withdrawal from NATO.

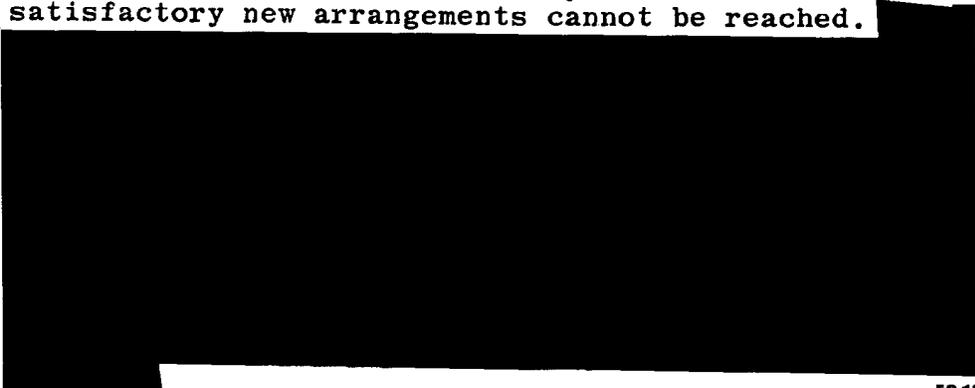
The French Position

At the same time that France has moved to disengage itself from NATO's integrated command, it has indicated that it would like to keep its forces in Germany. Paris has several reasons for hoping to maintain a military presence there. Relations between the two countries have deteriorated, but De

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Gaulle continues to recognize that he needs Germany if he is to build a Europe militarily, economically and politically independent of the US. However, he is aware of the need to "contain" Germany so that it poses no threat to its neighbors. In the process of disentangling France from NATO, therefore, De Gaulle has sought to emphasize the continuing non-NATO links between the two countries.

While generally expressing a desire to maintain the French forces in Germany after 1 July, Paris has kept open the prospect that they will be withdrawn if satisfactory new arrangements cannot be reached.



Despite the repeated citation of the 1954 convention as the legal basis for retaining French troops in Germany, Paris has acknowledged that new "implementing" agreements may be needed. Because France is aware it is entering into a negotiating situation on this as well as other Alliance-related matters, it has concealed its minimum terms. Some elements of the kind of agreement Paris will seek, however, are apparent.



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The French would probably agree that this could be supplemented by an agreement between the French military and SHAPE which would deal with peacetime training and with command arrangements in war-time. Paris may expect the latter would be similar to the informal operating arrangements which govern relations between the French Navy and SACLANT.

In an effort to strengthen its hand, Paris has tied the issue of French forces in Germany to the

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agreements covering German use of French territory for training and supply depots. France probably hopes to bargain for the best possible arrangements in Germany by offering Germany the continued use of these facilities and overflight rights much needed for German air force training.

The West German Position

Thus far, Bonn has taken a fairly firm position regarding the circumstances under which French forces can remain in Germany after 1 July. Foreign Ministry officials have raised a number of difficult political and military problems which they feel must be resolved. Bonn insists that the 1954 agreements constitute "one system," both legally and politically. In arriving at these agreements, Germany had made certain concessions, principally the right of other nations to station troops in Germany. In return for this, Bonn had gained certain things--sovereignty and the agreement that troops of the signatory powers in Europe would be under NATO command. Thus, the Germans contend, French forces cannot remain solely on the basis of the 1954 convention once "integration is broken up." The presence of foreign troops under an integrated command of which Germany is a part is acceptable, but it would be an infringement of German sovereignty for French forces to remain under a purely French command.

The Germans are as yet unsure what "the new legal status will look like." One essential feature the Germans want is the right to ask the French to withdraw any time they consider that the arrangements is not working and that the French should similarly, be free to withdraw. Also, the Germans say they are determined to exact the same conditions from the French that the French enforce on the German service and training personnel in France.

Under the ten-year Franco-German Logistics Agreement of 25 October 1960, Paris agreed to make available to the Bundeswehr facilities for the storage and testing of German military equipment, and for the training of German troop units. Such facilities remain under French command, even in the event of hostilities, and they are administered by

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French military authorities in consultation with German authorities. In practice, French personnel hold a dominant position. [REDACTED]

[REDACTED]
Specific storage installations are not mentioned in the Agreement, but rather have been established, either as separate German facilities or as joint French-German installations, via post-Agreement negotiations. The training of German troops in French Army camps is carried out on the basis of annual requests from Bonn to Paris. In 1966, some 26,000 German troops are scheduled for such training.

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In view of the discrepancy between these tight French controls over German personnel in France and the relative independence of French forces in Germany, Bonn's demands for reciprocity signal some hard bargaining ahead. Bonn also intends to seek a commitment from the French to integrate their troops into NATO command in the event of war and to assume a clearly defined peacetime mission.

Just as with France, these views probably represent an initial bargaining position. Despite reservations, the Germans are now prepared to engage in exploratory discussions with the French on these questions. The first opportunity for such talks will be Couve's 18 April visit to Bonn, a regularly scheduled meeting under the 1963 Franco-German Friendship Treaty. There is considerable public sentiment for retaining French forces and, given the strong German aversion to a break with France, pressures for compromise are likely to mount as the talks progress.

Other NATO Reaction

Although Bonn has agreed to talk bilaterally with Paris, it has assured other NATO members that it considers this to be a facet of the France/NATO problem. The attitudes of the other European NATO members and especially the US will, therefore, have an important effect on the ultimate outcome of the French-German exchanges.

West Germany's primary responsibility in the matter of the future of French forces on its

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territory is recognized by the other 13 NATO Allies. The smaller NATO countries, however, are sensitive to the need for close consultation among all 14 Allies over any major moves in response to French action, especially when it involves the future of the Germans in relation to the rest of the Alliance.

[REDACTED] agreed that West Germany, and the US and UK in view of their special responsibilities, would consult together to prepare a negotiating position on the question of the French forces in Germany. This agreement was contingent on the other Allies being kept informed and consulted before any final positions are reached.

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Thus far, the other Europeans have sought to avoid a situation which isolates France and they hope to preserve as much as possible of the existing political-military relationship. On the specific issue of French forces in Germany, most Europeans appear at least in general agreement that the Alliance should not set conditions which would clearly lead to a French withdrawal. For many Europeans, the presence of French forces symbolizes the French-German relationship which has helped stabilize Western Europe since the late 1940s.

As in the broader NATO problem, the US is here also caught in a dilemma. Significant political disadvantages may result if France stays in Germany on a special basis and thereby encourages other NATO members to press for accommodation of their particular interests. Moreover, bilateral French-German arrangements could have the effect of diluting Germany's cooperation with the US or with the whole multilateral structure of NATO. Against this, the US must weigh the effect of French withdrawal on French-German reconciliation which the US has fostered, and on the Alliance military posture on the central front.

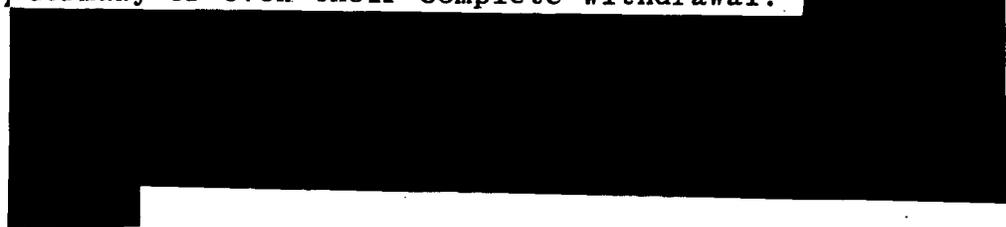
The Military Aspects

From a military point of view the loss of French air space and French territory for training and in-depth defense and the removal of US and NATO bases in France, is a more serious prospect for the

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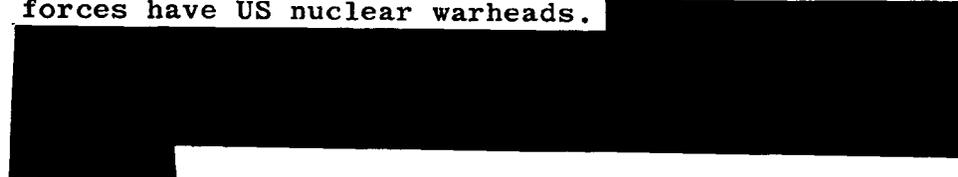
Alliance than a change of status of French forces in Germany or even their complete withdrawal.



There are two French divisions and an independent brigade in the western part of the French sector of Germany. These units are somewhat under strength and have equipment deficiencies. Their complete withdrawal from Germany would be an appreciable but hardly a critical loss.

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As part of its ground force contribution, France has ten batteries of Honest John tactical surface-to-surface missiles armed with US-controlled nuclear warheads. The US has taken a strong stand on its legal obligation to remove US warheads from the French missiles once the NATO commitment of those missile forces is ended. There has been some indication from other NATO nations, however, that they hope the US would not preclude a priori agreement which would enable the French forces to retain a nuclear capability. In addition to the Honest John batteries, there are 60 French F-100s equipped with US-controlled nuclear weapons and two sections of French Nike Hercules forces have US nuclear warheads.



French forces in Germany probably make their greatest contributions in the area of air defense.

the loss of French air defense squadrons (four of the five squadrons are located in France) and Nike and Hawk batteries will leave a gap in the present air defense coverage along a Munich-Stuttgart axis. On the other hand, France will probably be reluctant to lose the early warning information generated by US and Allied radar located in the eastern part of West Germany and by

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NATO Air Defense Ground Environment (NADGE) when it becomes operational. Although there is considerable reason for both sides to work out a continuing air defense arrangement, the fundamental divergence between the US and French positions on Alliance integration may make reconciliation difficult in the case of air defense, where extensive peacetime integration is especially necessary to make it effective.

The Legal Rights of France in West Germany and Berlin

The decision as to whether and under what conditions French forces will remain in Germany is essentially a political one; the legalities of this issue are complex.

[REDACTED] the withdrawal of French troops from NATO command does not affect certain legal rights which it held originally as one of the four occupying powers and retained, with the termination of the occupation, under the 1954 convention. These retained rights, [REDACTED] relate to Berlin, to Germany as a whole, and to questions of reunification and a peace settlement. They provide that France can station troops in Germany insofar as they are required for the exercise of these rights and that the security of the troops must be assured.

All of these rights existed before the creation of NATO and continued to exist thereafter. Consequently, a change in France's relation to NATO would not affect the rights which it held as one of the occupying powers and retained thereafter. Under international law, these rights would lapse only if France, by withdrawing its troops, ceased to be able effectively to exercise these rights.

The conflict between Bonn and Paris over whether the 1954 Convention can continue to provide the framework for French forces in Germany poses a particularly complex legal problem. The Germans argue that the Convention and the 1954 agreements constitute "one system." If Germany then declares that the 1954 Convention is no longer valid insofar as France is

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concerned, would the whole complex of agreements then be binding on the other signatories, especially Germany? Bonn has indicated that it would consider its own commitment to keep its troops under NATO command to be unchanged despite the French default.

[REDACTED]

[REDACTED] a bilateral undertaking be substituted for the present multilateral Convention might have the advantage of not putting in question the status of any of the agreements, [REDACTED]

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Legally, the basis for the status and presence of French forces in Berlin is the unconditional surrender of Germany, confirmed in an agreement signed in July 1945. France's right to retain a military presence was not affected by the ending of the occupation regime in West Germany or its inclusion in NATO.

[REDACTED] a French withdrawal from NATO would not have any legal effect on France's right to remain in Berlin because NATO agreements have never been applied there and Allied forces in Berlin are not a part of any NATO command.

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The Case of Berlin

None of the official French communications during the present NATO crisis have mentioned the future status of French troops in Berlin. France, of all the Allies, has traditionally held to a strict interpretation of the four-power responsibilities in the city and has generally favored a policy of maintaining the status quo.

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France is probably aware, however, that it may be able to obtain concessions for its troops in Germany by intimating that if they cannot be maintained, French forces in Berlin would be withdrawn, thus calling into question the Allied position carefully constructed during the last 20 years.

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The relationship between Live Oak and SHAPE has resulted from the necessity to coordinate Berlin contingency planning with SHAPE, since the implementation of such plans risks escalation with ultimate NATO involvement. The fact that General Lemnitzer is the commander of Live Oak as well as SACEUR has contributed to this relationship.

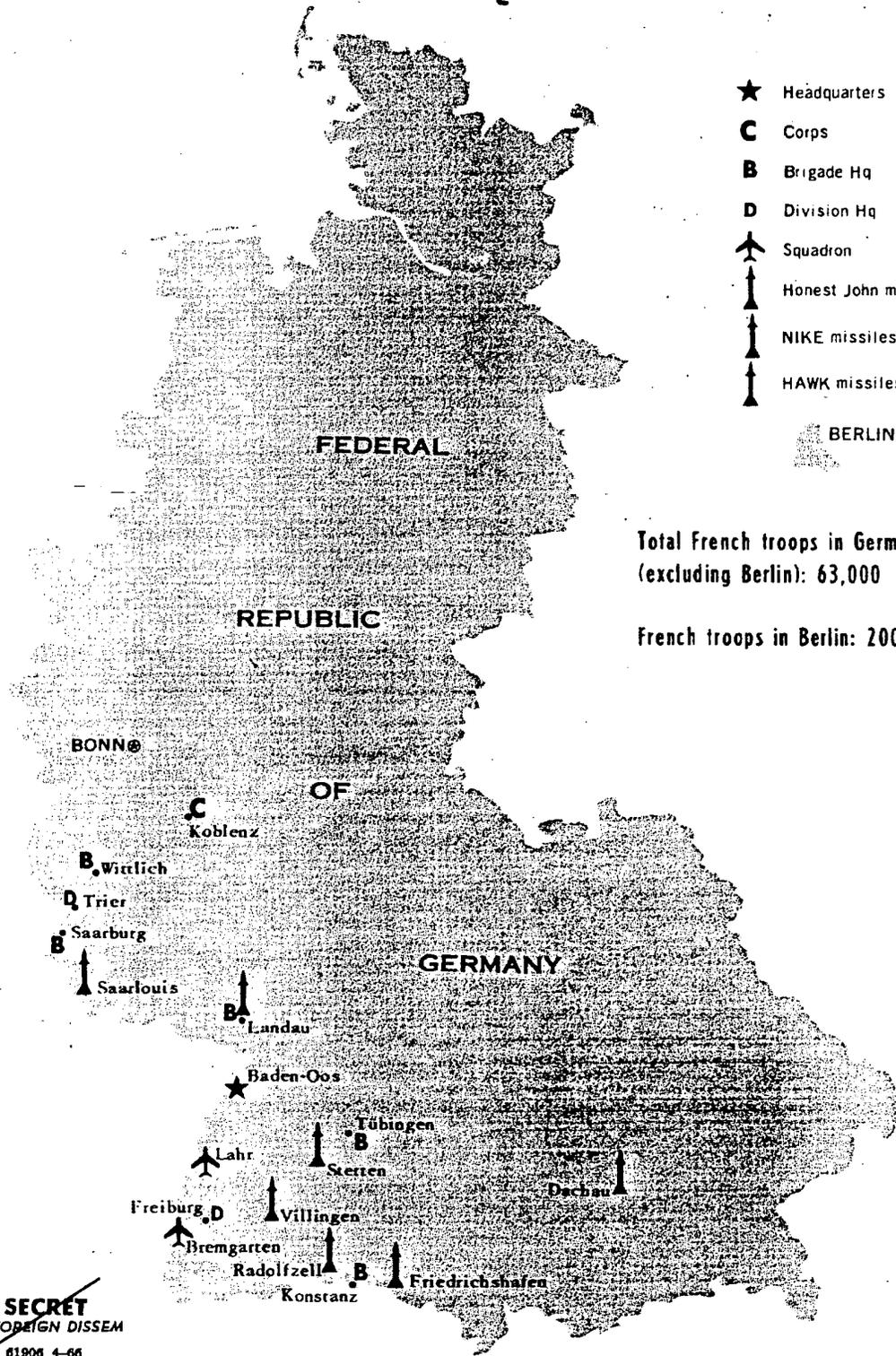
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[REDACTED] Live Oak's location at SHAPE was based on convenience and that SHAPE had no "organic responsibility" for Berlin access, which he described as a tripartite responsibility. [REDACTED] the removal of SHAPE from France might offer a useful occasion for reviewing the entire Live Oak operation, which was set up to cope with problems "whose urgency and seriousness have diminished." Live Oak's multi-lateral, integrated command structure may also pose problems of principle for Paris.

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Whether France intends to push for changes in the organization of Live Oak and its relationship to SHAPE now or only to raise the Berlin issue as a bargaining counter is not yet clear. The basic French interest in retaining its role in Berlin would appear to dictate that France not push the matter too far.

FRENCH TROOPS AND EQUIPMENT IN GERMANY



- ★ Headquarters
- C Corps
- B Brigade Hq
- D Division Hq
- ✈ Squadron
- ↑ Honest John missiles
- ↑ NIKÉ missiles
- ↑ HAWK missiles

BERLIN

Total French troops in Germany
(excluding Berlin): 63,000

French troops in Berlin: 2000

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