ORIGIN/ACTION

DEPARTMENT OF STATE

AIRGRAM

POLIT CUBA-MEX
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OSD	USIA	NSA
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A-631   LIMITED OFFICIAL USE

HANDLING INDICATOR

NO.

TO   : DEPARTMENT OF STATE

(1)

FROM : AmEmbassy MEXICO CITY   DATE: 2 December 1963

SUBJECT : Mexico Rejects Cuban Note on Oswald Case

REF :

The Mexican and Cuban Governments have clashed over the investigation conducted by Mexican police into the activities of Lee Harvey Oswald, President Kennedy's suspected assassin, while he was in Mexico from September 26 to October 3. Mexican Foreign Minister Manuel TELLO announced on November 28 that the Mexican Ambassador to Cuba, Gilberto BOSQUES, had been instructed to return as "unacceptable" the Cuban Government's note of November 26 which had protested the action of Mexican police in questioning an employee of the Cuban Consulate in Mexico City about Oswald's reported application for a Cuban transit visa during his visit.

The Mexican press had reported previously that Mexican authorities were investigating Oswald's activities in cooperation with United States authorities, including the FBI.

In its note, the Cuban Government had charged that its Consulate's employee, Señora Silvia DURAN, had been detained by police on November 23, held in prison until midnight, physically mistreated, and subjected to insinuations about alleged "intimate relations" with Oswald. The Cuban note said that this "illegal" investigation corresponded to the plan of reactionaries in the U.S. who were using President Kennedy's assassination to promote a war policy on the basis of accusations against Cuba and the Soviet Union. Alleging that the Mexican police actions had disregarded the minimum guarantees owed to employees of a consular office, the Cuban note concluded that the incident had damaged the friendly relations between the two countries.

In order to explain his decision to reject the Cuban note, Foreign Minister Tello issued the following statement on November 28:

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FORM DS-323
4-62

Drafted by: POL/DEBoster/bb

Contents and Classification Approved by:
R.W. Adams

DEC 5 1965
12/2/63

Clearances: DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY D. ZISCHKE DATE 9/21/81

DECLASSIFIED X RELEASABLE X
RELEASE DENIED

H-631

Mexico City

"The Ministry of Foreign Affairs is prepared to consider the complaint of the Revolutionary Government of Cuba solely in those respects which are pertinent and as long as it is phrased in accordance with diplomatic norms.

"The terms of the note which Chancellor Raul sent to our Ambassador in Cuba on November 26 are unacceptable and, in consequence, Ambassador Bosques has received instructions to return it.

"Incidentally and for the information of public opinion, the Ministry points out that Señora Duran is a Mexican national and her protection--in the event that she should have needed it or should need it--is guaranteed by Mexican law."

"By virtue of this same nationality, the fact that Señora Duran is employed by the Cuban consulate neither confers upon her diplomatic immunities or privileges, nor removes her from the jurisdiction of the competent Mexican authorities."

The exchange was one of the most acrid on record between the two Governments since Castro came to power, and there has also been a sharp reaction among public groups in Mexico. Under the headline "All Sectors Applaud The Decision," the newspaper Ultimas Noticias, for example, quoted a number of spokesmen as strongly backing the Mexican position and declaring irately that the "bosses of the firing squad" had nothing to teach Mexicans about individual guarantees. Nevertheless, it is not believed that either Government will consider it in its best interest at this time--barring, of course, further developments of a similar nature--to press this issue to a point where relations would be seriously damaged or a break in relations would be considered likely.

For the Ambassador:

Robert W. Adams
Counselor of Embassy