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**TALKING TO  
THE BEARDED MAN:  
THE SWISS MANDATE  
TO REPRESENT US  
INTERESTS IN CUBA,  
1961-1977**

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## **Abstract**

Switzerland's representation of US diplomatic interests in Cuba is the most enduring protecting power mandate in history. After the break of official relations between Washington and Havana in January 1961, the Swiss authorities took over American interests on the Caribbean island and continue to do so until today. A substantial change of the mandate occurred in September 1977 with the establishment of the so-called "United States Interests Section of the Swiss Embassy in Havana". It enabled the return of American officers to their embassy in the Cuban capital in order to take care of administrative matters, on the basis of reciprocal rights for the Cubans in Washington. Today, the Swiss flag still flies on top of the US embassy building in Havana, but the Swiss Head of Mission in Cuba only intervenes in matters of principle or in exceptional circumstances. It was the period between 1961 and 1977 when the Swiss clearly faced the most challenging times with their mandate for the US in Cuba. The documents available so far show that the mandate at the time included a number of exceptional tasks beyond the classic obligations of a protecting power, and that the Swiss were repeatedly involved in direct negotiations with the Cuban leader Fidel Castro over a number of issues between Washington and Havana.

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## TALKING TO THE BEARDED MAN: THE SWISS MANDATE TO REPRESENT US INTERESTS IN CUBA, 1961-1977

If two states break diplomatic relations, a third state is usually assigned by each of them as protecting power to represent their respective interests towards the other state. The task of a protecting power consists of maintaining an indispensable minimum of contact between belligerents, or between states that have broken diplomatic relations for another reason, until hostilities cease and/or until both countries resume their ties.<sup>1</sup> Switzerland has developed a long-standing experience serving as a protecting power since it first acted in this capacity in the Franco-German War of 1870/71, when it was entrusted with the interests of the Kingdom of Bavaria and the Grand Duchy of Baden in France. During the First World War, Switzerland already assumed 36 such mandates before it reached the absolute peak in protecting foreign interests in the Second World War. With over 200 single mandates, Switzerland by that time simultaneously represented the interests of 35 nations, including most of the belligerents and all of the big powers except for the Soviet Union. At that time the Foreign Interests Section was by far the largest office of the Swiss Foreign Ministry in Berne.<sup>2</sup>

During the first period of the Cold War from 1947 to 1963, Switzerland was – most likely due to its vast experience and availability – requested to act as a protecting power whenever international tensions rose. This was the case after the Suez Crisis of 1956, when several Western states turned to Switzerland to represent their interests in a number of Arab states. Most of these mandates were gradually rescinded in the course

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A first draft of this paper has been prepared for a conference on protecting powers (“Entre guerres et ruptures, la protection dans les relations internationales”) at the Graduate Institute of International and Development Studies in Geneva on 28/29 May 2010. A shorter French version of the paper appears in the *Revue Relations Internationales*. The author would like to thank the editorial staff of the *Documents Diplomatiques Suisses*, in particular Ursina Bentele, for making available the latest documents regarding the Swiss mandate in Cuba on the Dodis database and Lisa Komar for the reference to the 1965 US-Cuban agreement on the refugee airlift.

<sup>1</sup> The protecting power mandate is based on art. 45 and 46 of the 1961 Vienna Convention on Diplomatic Relations, and art. 8 of the 1963 Vienna Convention on Consular Relations.

<sup>2</sup> Borsani, R. *La Suisse et les bons offices*, Geneva 1994, p. 16.

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of events until 1961, when following the break of diplomatic relations between the United States and Cuba, the US government and a number of Latin American nations asked Switzerland to represent their interests in Havana.

The Swiss mandate for the US in Cuba became the most enduring one, and Swiss diplomats handled American interests on the Caribbean island in their own authority until 1977, when a partial rapprochement between Washington and Havana took place. It resulted in an agreement providing for the establishment of the so-called “United States Interests Section of the Swiss Embassy in Havana” by 1 September 1977. Under the agreement American staff was allowed to return to their embassy in Havana to take care of administrative matters, on the basis of reciprocal rights for the Cubans in Washington. The Swiss flag would still officially fly on top of the embassy building, as the protecting power mandate would not formally end with that step, but the affairs would mostly be handled again by the national diplomatic and consular personnel of the US and Cuba, respectively.<sup>3</sup> After 1977, when American officers were re-integrated into the US Interests Section in Havana, the Swiss Head of Mission in Havana would only intervene in matters of principle or in exceptional circumstances.

While the Swiss mandate to represent the US in Cuba is still in force today, it is the period between 1961 and 1977 when the Swiss clearly faced the most challenging times in Cuba. On the one hand the mandate included the classic tasks of a protecting power, such as visiting American prisoners, looking after the few American citizens remaining in Cuba, issuing visa, and the handling of communications between the U.S. and Cuban governments. On the other hand it also held some more exceptional tasks to be taken care of by the Swiss. These included (1) the prevention of Cuban attempts to nationalise the US embassy building in Havana; (2) the instigation of a spectacular airlift from Cuba to Florida, which enabled over 200'000 Cubans who opposed the regime to emigrate to the United States over a period of

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<sup>3</sup> Smith, W.S. “The Protecting Power and the U.S. Interests Section in Cuba”, in David D. Newsom, ed. *Diplomacy Under a Foreign Flag: When Nations Break Relations*, Washington 1990, pp. 102-104.

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seven years; (3) the handling of a three-day siege of the US Embassy building placed under Swiss protection in May 1970; and (4) the facilitation of an agreement negotiated between the US and Cuba on the handling of hijacked aircrafts belonging to US airlines deviated to Cuba.

It is these special tasks that this paper will particularly focus on. In addition the paper will deal with the involvement of Switzerland as a protecting power for the US in Cuba during the (in)famous October 1962 missile crisis, expanding on a previous study by the author to conclude that the Swiss did not play a major role in these events beyond their classic assignments as protecting power.<sup>4</sup>

The author is grateful to retired ambassador Raymond Probst, contacted in the context of this previous study on the role of Switzerland and the International Committee of the Red Cross during the Cuban Missile Crisis, for highlighting that the historiography dealing with the Swiss mandate for the US in Cuba should certainly not be limited to the role played by Switzerland during the superpower crisis in 1962. The former State Secretary of the Swiss Foreign minister, who probably knew best the Swiss policy of good offices during the Cold War, including the mandates for the protection of foreign interests, mentioned the refugee airlift, the embassy siege, as well as the negotiations on the anti-hijacking agreement to emphasise that there were other unprecedented moments in the history of the representation of foreign interests with the mandate in Cuba, where Switzerland was faced with exceptional tasks previously unknown to Swiss diplomacy.<sup>5</sup>

This article is a first attempt to trace these events on the basis of archival sources that have so far become available. Access to the documents produced by the Foreign Interests Section of the Swiss Foreign Ministry remains restricted, however, as the Swiss mandate for the US is still in force today. Permission to consult individual files can

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<sup>4</sup> See Fischer, T. *Die guten Dienste des IKRK und der Schweiz in der Kuba-Krise 1962*, Zürich 2000. Available at: <http://e-collection.ethbib.ethz.ch/eserv/eth:23628/eth-23628-01.pdf>; see also Fischer, T. "The ICRC and the 1962 missile crisis", *International Review of the Red Cross*, Vol. 83 (842), 2001, pp. 287-309.

<sup>5</sup> Probst also mentioned these instances in his own publications: Cf. Probst, R. *'Good Offices' in the Light of Swiss International Practice and Experience*, Dordrecht [etc.] 1989, p. 114f.

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be asked, but the request has not only to be accepted by the Swiss Foreign Ministry; the responsible authorities have also established the practise to seek agreement on the release of documents with the US State Department, which makes it a rather cumbersome procedure.

Yet again, the American authorities themselves have published a number of documents over the past years in their edited document series *Foreign Relations of the United States*, which are of interest with regard to the mandate from a Swiss point of view. Some additional documents are to be found in the recent volumes of the *Documents Diplomatiques Suisses* and in its relating *Dodis* online database, as well as in other (already accessible) materials from the Swiss Federal Archive in Berne, which allow this preliminary study on the subject. However, only once the materials of the Foreign Interests Section in the Swiss Foreign Ministry become freely available, will a more complete study be possible.

### **The Break of Diplomatic Relations Between Washington and Havana**

On 3 January 1961 the United States broke diplomatic relations with Cuba. The day before, Fidel Castro the revolutionary leader in Havana, had described the American embassy as a “nest of spies” in a public speech and demanded that its staff be reduced to eleven “officials”.<sup>6</sup> Seeking clarification, the American *chargé d'affaires*, Daniel Braddock, learnt the next morning from the Cuban Foreign Ministry that the Cubans prepared to reduce their own diplomatic staff in the US capital to eleven staff members. At the same time they requested the Eisenhower Government to limit US personnel in the Havana mission to the same number. The reduction to eleven “officials” included everyone at the embassy and consulate – code clerks, secretaries, Marine guards, and archivists, as well as diplomatic and consular staff. The rest of the personnel at the American embassy, whatever their nationality, would have to leave the country within 48 hours. Under these circumstances Braddock counselled the government in Washington to cease diplomatic relations with the Cuban government.<sup>7</sup>

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<sup>6</sup> Smith, “Protecting U.S. Interests”, pp. 99-112.

<sup>7</sup> *Foreign Relations of the United States* (hereafter *FRUS*), 1961-1963, vol. X, doc. 1, Telegram Braddock to Department of State, January 3, 1961.

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Following an impromptu meeting on 3 January at the White House, the outgoing President Eisenhower, in one of his last official acts immediately advised Foreign Minister Christian Herter to break diplomatic relations with revolutionary Cuba, and to inform the Castro government that the US government would ask Switzerland to represent its interests in Havana in the future.<sup>8</sup>

The break of diplomatic relations between the US and Cuba did not come as a surprise, as animosity between the two countries had grown steadily since the revolutionary takeover in Havana in summer 1959. However, the assignment of Switzerland as the protecting power for US interests in Cuba was definitely more unexpected – at least to the diplomatic staff of the US embassy on the Caribbean island. They had rather expected the British to step in, if it came to a break of official relations. Great Britain at first glance was the only other embassy in town that seemed large enough to absorb the task of representing US interests. The Swiss representation in Havana, on the contrary, only consisted of the ambassador and his first secretary at the time.<sup>9</sup>

Until today, one can only speculate on the reasons why the US government asked Switzerland to represent its diplomatic interests in Cuba in 1961. However, we do know, that the Americans had sounded out the Swiss as early as October 1960 whether they would be prepared to accept such a task in the event of a break of relations.<sup>10</sup> The documents available so far do not allow us to fully judge what role the permanent status of neutrality played in the American decision to assign the mandate in Cuba to the Swiss, but certainly the long-standing experience the authorities in Switzerland had with the execution of such assignments – notably during the time of the Second World War – spoke in favour of this option.

While the main body of US embassy personnel in Havana immediately started to leave the country after the break of diplomatic relations on 4 January 1961, the official request from the American Secretary of State

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<sup>8</sup> *Ibid.*, doc. 2, Editorial Note.

<sup>9</sup> Smith, “Protecting U.S. Interests”, p. 100.

<sup>10</sup> *Diplomatische Dokumente der Schweiz*, Dodis online database: <http://www.dodis.ch/14974> (hereafter dodis.ch), Eventuelle Übernahme der Interessen der Vereinigten Staaten von Amerika in Kuba (Antrag des Politischen Departements vom 27.10.1960).

Herter for Switzerland to take care of US interests in Cuba was handed over to the Swiss ambassador August Lindt in Washington.<sup>11</sup> The very same day, Cuba acknowledged the rupture of relations with the US, and indicated that the government of Czechoslovakia had been requested to assume the responsibility for the diplomatic and consular interests of Cuba in the United States.<sup>12</sup>

### **The Swiss Take Over**

On 5 January 1961 the Swiss ambassador in Havana, Walter Bossi, received information from Berne that the US State Department had asked Switzerland to take over the protecting power mandate for the US interests in Cuba.<sup>13</sup> The cable said that the Swiss government had decided to accept this task under the condition that the Cuban government would assent to it. The ambassador therefore should immediately seek agreement with the Cuban authorities and inform the foreign ministry in Berne of the results of his demarche.

The next day Bossi was able to communicate Cuban consent to the Swiss takeover of the American interests.<sup>14</sup> However, this was just the formal part of the assumption of the new mandate. What was more difficult for the Swiss representative in Havana was the technical replacement of US embassy staff in order to ensure the basic services of the protective power mandate.

Ambassador Bossi had been given no prior information that the Swiss government had been sounded out on its readiness to act as protective power for the US in Cuba if needed. Accordingly, he was taken

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<sup>11</sup> Der amerikanische Staatssekretär Ch. A. Herter, an den schweizerischen Botschafter in Washington, A. Lindt, 4. Januar 1961, *Diplomatische Dokumente der Schweiz* (hereafter *DDS*), Bd. 21 (1958-1961), Zürich 2007, Nr. 116, dodis.ch/15005.

<sup>12</sup> *FRUS*, 1961-1963, vol. X, doc. 7, note 3, Telegram from the Department of State to the Embassy in Cuba, Washington, January 3, 1961, 9:05 p.m.; After the Cold War and the dissolution of Czechoslovakia in two separate states, the Cubans handed over their mandate to the Swiss.

<sup>13</sup> Schweizerisches Bundesarchiv (Swiss Federal Archive), Berne (hereafter BAR), E 2200.176 1989/77, vol. 1, reprise des intérêts – représentation des intérêts américains, télégramme DFP à AmbaSuisse La Havane, 5 janvier 1961.

<sup>14</sup> *Ibid.*, télégramme AmbaSuisse (Bossi) La Havane à Berne (DFP), 6 janvier 1961. It took a moment until the Cuban authorities responded to the Swiss demarche, since they first wanted to be sure that the US would accept the CSSR as the protective power for Cuban interests in Washington.

somewhat by surprise when Berne instructed him on 5 January that he would have to deal with representing US interests within a few days.<sup>15</sup> From then on, all had to happen very quickly, as most of the American personnel had left the country immediately after the official break of relations between Washington and the Castro regime on 4 January.<sup>16</sup> However, Berne had prepared well for the takeover in Havana: On 6 January first support arrived in the person of the Swiss diplomat Roger-Etienne Campiche, who was stationed nearby in Caracas at the time. Campiche, who had some previous experience with protecting power mandates was to stay for eight days in Havana in order to assist the Swiss embassy in the takeover of US interests in the initial period. On 7 January the keys of the US chancery and residence were handed over from the American *chargé d'affaires* Braddock to the Swiss, and when a few days later, finally, a special team of nine additional diplomats and consular staff from Switzerland arrived in Havana, the essentials for the mandate had already been set up.<sup>17</sup>

An important task for ambassador Bossi in the first days had been to make sure that the Cuban authorities understood and accepted the international rules and conditions, which applied for a protective power acting for another country in a third state. To this end, Bossi had held several meetings with the Cuban foreign minister Raúl Roa and his collaborators, who would take charge of this issue in the future. Likewise, Bossi had to instruct his Czechoslovak colleague in Havana on the tasks of a protecting power, as the Czechoslovaks had literally no experience with the matter.<sup>18</sup>

The special team sent from Switzerland was headed by Gaston Jaccard, a retired ambassador, and was directly housed in the old US chancery,

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<sup>15</sup> Lettre ambassadeur Walter Bossi (La Havane) à ministre Robert Kohli (secrétaire général du DPF, Berne), 19 janvier 1961, dodis.ch/15006. Berne had not informed Bossi, because the US State Department had asked for strict secrecy, and the Swiss ambassador to Havana on a previous occasion, when the West Germans had sounded out the Swiss for a similar appointment, apparently had not respected the principle of discreetness. See handwritten note by Kohli in the margins of that same document. Cf. Interne Notiz des Generalsekretärs des Politischen Departements, R. Kohli, Besuch des deutschen Botschafters, Bern, 12. Oktober 1960, *DDS*, Bd. 21, Nr. 100, dodis.ch/15402.

<sup>16</sup> Smith, "Protecting U.S. Interests", p. 100.

<sup>17</sup> Lettre ambassadeur Walter Bossi (La Havane) à ministre Robert Kohli (secrétaire général du DPF, Berne), 19 janvier 1961, dodis.ch/15006.

<sup>18</sup> *Ibid.*

where they took over the practical handling of the mandate. Officially, they were an integral part of the Swiss embassy in Havana. Once US diplomatic property had been catalogued and a routine established, the original Swiss team of nine could be reduced to three, headed by a first secretary.<sup>19</sup> Ambassador Jaccard returned to Switzerland in early October 1961.<sup>20</sup>

Once the US interests were turned over to the Swiss representatives in Havana and the safe return home of the US embassy personnel was assured, the main focus of the Swiss activities under the protective power mandate shifted to the repatriation of American citizens and families who had not yet left the country.<sup>21</sup> It took almost two more years until this important task was accomplished. Very few American citizens in the end wanted to stay in Cuba after 1963.

### **The Swiss Involvement in the Cuban Missile Crisis (1962)**

In the initial period of the Cuban mandate most of the tasks assumed by the Swiss belonged to the routine of a protecting power. This, however, changed with the missile crisis in autumn 1962 in the course of which US-Cuban relations became extremely strained. By then a new ambassador, Emil A. Stadelhofer, had taken over responsibility in the Swiss embassy in Havana after Bossi's term had come to a regular end. Legend has it that Stadelhofer, who would reside in Cuba from 1961 to 1966, was able to build up a special relationship with Fidel Castro, which allowed him to have direct access to the "Máximo Líder" if needed.<sup>22</sup> In turn, Castro would often call on Stadelhofer in the middle of the night to discuss things, when he felt like it.<sup>23</sup> Washington

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<sup>19</sup> Smith, "Protecting U.S. Interests", p. 100.

<sup>20</sup> Knellwolf, J.-P. *Die Schutzmacht im Völkerrecht unter besonderer Berücksichtigung der schweizerischen Verhältnisse*, Bern 1985, p. 299.

<sup>21</sup> By the time of the disruption of US-Cuban relations, a few thousand American citizens still had permanent residence in Cuba. However, their number had already more than halved since March 1959, when over 10'000 US residents had been counted in Cuba.

<sup>22</sup> See the contributions of former Federal Councillors Willy Spühler and Friedrich T. Wahlen in the commemorative volume *Emil A. Stadelhofer, 1915-1977*, Erwin Waldvogel, ed., Schaffhausen 1978, pp. 17-19.

<sup>23</sup> There is in fact some documentary evidence confirming the "special personal relationship" of Stadelhofer with Castro, and the Cuban leader's habit to visit Stadelhofer spontaneously late at night in the Swiss residence to talk in private: Telegramm, Der schweizerische Botschafter in Havanna, E. Stadelhofer, an das Politische Departement, Havanna, 30. April 1963, 23.58, *DDS*, Bd. 22, Nr. 148, [dodis.ch/18933](http://dodis.ch/18933); On another

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apparently made use of the Swiss representative's personal access to Castro also at one point during the Cuban missile crisis.

In September and October 1962 the Soviet Union secretly tried to install on Cuba, in close vicinity to the US, some 40 medium-range ballistic missiles capable of carrying nuclear warheads – the drama unfolding around the Caribbean island was to hold the world in awe for a long 13 days. Many actually feared the escalation of the crisis into a Third World War. While the ensuing events mainly took place between Washington and Moscow, the US President John F. Kennedy, who in the end was not prepared to run the risk of an air strike or a full-scale invasion with the possible consequence of nuclear escalation, tried to activate all available channels to get in touch with the Cuban leader Fidel Castro – among others also via the Swiss embassy in Havana.

After the White House had discovered the stationing of Soviet missiles on Cuba on 16 October 1962 by aerial reconnaissance, President Kennedy immediately called a meeting of a group of advisers to discuss the situation. Consensus was soon reached within the group that all means had to be used to remove the Soviet missiles from Cuba, but the choice of the means (military or political / a combination of the two) remained subject of intense discussions. After five days of analysis and controversial debates, Kennedy decided to impose a naval blockade on the further delivery of all offensive military equipment to Cuba and to insist on the withdrawal of Soviet missiles already in Cuba. On the evening of Monday 22 October the American President announced his decision in a televised address to the nation and the world.

According to the memoirs of former Swiss ambassador Edouard Brunner, the Swiss representative in Washington, August Lindt, was the very same day, at 2 p.m. summoned by the American Secretary of

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instance Stadelhofer reported from a long late-night gathering at the Japanese ambassador's residence, including most of the revolutionary leadership. It was this occasion, where Castro would present Stadelhofer his famous beret as a personal gift declaring "that Switzerland and its embassy in Havana with the representation of American interests in Cuba had the most difficult task that one could imagine." Furthermore, Castro went on, "he respected and held in high esteem Switzerland and the Swiss as well as their embassy and wanted to give me his beret as an expression of this." *Vertraulicher Bericht Stadelhofer an Bundesrat F.T. Wahlen, 1. Mai-Rede des kubanischen Premierministers, Havanna, 4. Mai 1964, dodis.ch/30888.*

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State Dean Rusk, who conveyed to him an urgent message for transmission to the Cuban leader. Brunner, a young diplomat at the beginning of his career, who was stationed in Washington at the time, relates the following conversation between Rusk and Lindt, as told by the Swiss ambassador to his collaborators afterwards: "If I have called you", Rusk allegedly explained to Lindt, "it is to ask a favour of you that only you, as the Swiss representative in charge of our interests in Cuba, can provide. We have the intention to continue our aerial reconnaissance flights over Cuban territory tonight in order to find out if the deployment of missiles is continued, stopped, or if, as a lucky surprise, the dismantling of the missile bases begins. We have the intention to fly over Cuba with our planes, notably the U2s, the whole night. To get the photographic evidence we need, we will have to illuminate the sky with signal rockets. The explosion of the rockets makes a sound similar to a bomb. It would be your task, Mister Ambassador, to explain to Fidel Castro, by interpretation of your colleague in Havana, that we do not start tonight a bombardment of the island, but that we illuminate the sky for the purpose of our photographic reconnaissance. It is therefore extremely important that the Cuban air defences do not shoot at our reconnaissance planes."<sup>24</sup>

Following this conversation, Ambassador Lindt immediately called his colleague Stadelhofer in Havana from Brunner's private house in Georgetown, Washington. Lindt probably chose Brunner's house for his phone conversation with Stadelhofer because he thought the embassy lines were wiretapped. The Swiss ambassador in Havana forwarded the message straight to Fidel Castro and returned a call to Washington within an hour to confirm the transmission of the message. This allowed Lindt to get back to Rusk between 4 and 5 p.m. with the reassertion that the message had reached its addressee and not a single Cuban shot was to be feared.<sup>25</sup>

According to Brunner this was exactly the kind of service Swiss diplomacy could render during the Cold War to the great powers by acting as an "honest broker": "(...) and thus, could be avoided, thanks

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<sup>24</sup> Brunner, E. *Lambris dorés et coulisses: souvenirs d'un diplomate*, Paris 2005, p. 19.

<sup>25</sup> *Ibid.*, p. 20.

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to this rapidly conveyed message, an escalation of the crisis and I think under the circumstances, we have seen the usefulness of the mission of Switzerland as an intermediary representing the American interests in Cuba.”<sup>26</sup>

Brunner’s revelation has been widely acclaimed by some authors of Swiss Cold War foreign policy.<sup>27</sup> While it is absolutely plausible – despite the absence of any documentary evidence from Swiss, American or Soviet sources so far – that the episode took place as conveyed by Brunner in his memoirs, the *effectiveness* of this particular Swiss messenger service remains less clear: In 1992 a former superior commander of the Soviet forces disclosed that not only had nuclear strategic weapons been stationed in Cuba, but also a number of short range tactical missiles with nuclear warheads to counter a US invasion of the island. And, of particular interest with regard to the episode cited above involving the Swiss, the Soviet commander also declared that the aerial defence placed around the missile bases was under direct control of the Soviet forces stationed in Cuba at the time.<sup>28</sup> It is therefore questionable whether Castro had actually been the “right” addressee for the message sent by the US State Department via the Swiss channel to Havana. More likely, the message should have been sent to Moscow instead to reach the commanding power in control of the aerial defence on the ground in Cuba. Hence, while there is no doubt that the Swiss mission was undertaken with the best of intentions, it is hard to evaluate whether it had any significant meaning for the course of events on the night of 22 to 23 October 1962. Probably only the archives in Havana or Moscow could tell whether the message had been forwarded by Cuban authorities to the Soviet commander and whether he acknowledged receipt in the affirmative.

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<sup>26</sup> Brunner, E. “Le trop court séjour d’un ambassadeur de Suisse à Washington” in Rolf Wilhelm, et al., eds. *August R. Lindt: Patriot und Weltbürger*, Bern [etc.] 2002, pp. 122-126, here 125.

<sup>27</sup> In particular: Widmer, P. *Schweizer Aussenpolitik und Diplomatie: Von Pictet de Rochemont bis Edouard Brunner*, Zürich 2003, p. 404f.

<sup>28</sup> “Tactical Weapons Disclosure Stuns Gathering: The Havana Conference on the Cuban Missile Crisis”, *CWIHP Bulletin*, Issue 1, Spring 1992, p. 2f; “Soviet Tactical Nuclear Weapons and the Cuban Missile Crisis: An Exchange”, *CWIHP Bulletin*, Issue 3, Fall 1993, p. 43; Cf. Zubok, V. and C. Pleshakov, *Inside the Kremlin’s Cold War: From Stalin to Khrushchev*, Cambridge (Mass.)/London 1996, p. 267.

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While the missile crisis was finally settled by the superpowers on 28 October in a direct exchange of letters between the two leaders, President Kennedy and Secretary General Khrushchev, the most important service the Swiss diplomacy rendered the US in the context of the missile crisis probably remains the effort to repatriate the dead body of the American pilot, Major Rudolph Anderson Jr., who had been shot down in his U2 machine over Cuba on 27 October, at the height of the crisis. UN Secretary General U Thant in a subsequent visit to Cuba had secured Castro's agreement to return the body of Major Anderson to the US government on humanitarian grounds, and on 4 November 1962 the coffin with the body of the American pilot was handed over by the Cuban chief of protocol, Antonio Carillo Carreras, to Swiss ambassador Stadelhofer at Havana airport. The corpse was then flown under the chaperon of the UN Secretary General's military advisor, brigadier Indarjit Rikhye, with a PanAm-machine chartered by the UN but flying "under Swiss flag" to Miami, where it was received by a General and a guard of honour of the US Air Force. From there the dead body was transferred in Kennedy's presidential plane *Air Force One* to the Andrews Air Force Base near Washington D.C., where it was handed over to the family of Major Anderson.<sup>29</sup>

### **Cuban Attempts to Nationalise the US Embassy Building (1963/64)**

Despite the peaceful solution of the missile crisis in late 1962, US-Cuban relations remained strained in the following years. One specific instance, where it took ambassador Stadelhofer's vigilance and wit to physically protect US official property occurred in February 1964, when the Cuban government decreed the seizure of the former US embassy building and its transformation into the Cuban Ministry of Fishing. Since the break of diplomatic relations in 1961, the Cuban authorities had more or less tolerated the Swiss custody over the US premises in Havana. However, attempts to nationalise US property on the island did not exclude the embassy either. The Swiss ambassador was

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<sup>29</sup> Fischer, *Die guten Dienste des IKRK und der Schweiz*, p. 22f; The Swiss archival sources on the return of the body of Major Anderson are contained in: BAR, E 2003-01 (A) 1971/90, Bd. 18, 0.841.35, Affaires mortuaires, ensevelissements, transports de corps; 0.841.351, Cas particulier - Major Anderson.

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approached first informally in late 1963 with a request that the Cuban side wanted to go one step further with the implementation of a new law on the nationalisation of the former US chancery.<sup>30</sup> The Cubans wanted to know whether the Swiss would be ready to sign a lease contract for the building if nationalised, or if Switzerland would consider a break of relations with Cuba in such a case. Stadelhofer was obviously able to avert the danger at that moment by referring to the absolute character of Article 45 of the Vienna Convention on Diplomatic Relations of 1961, strictly prohibiting such a step by the host government. He even stated that this would potentially be considered by Swiss authorities the most unfriendly and severest act against Swiss foreign policy since the existence of the Confederation.<sup>31</sup>

Before long the issue resurfaced. When on 2 February 1964 four Cuban fishing vessels were arrested by the US Coast Guard and the crews were detained in Key West for illegal fishing in US national territorial waters off East Key in the Dry Tortugas, Cuban authorities retorted in two ways: After the United States and Cuba had traded formal protests over the incident on 4 February, the Cubans two days later cut off the water supply to the US Naval base on Cuba at Guantanamo Bay, which in turn was protested by a note of the State Department delivered by Stadelhofer.<sup>32</sup> At the same time, according to Smith, Cuban officials had appeared at the entrance of the former US embassy in Havana, determined to take possession of the building for the purposes of the Cuban Ministry of Fishing. Ambassador Stadelhofer was only just about able to prevent this measure by barring the door and declaring that this was diplomatic property, and would be violated only over his body. Apparently, in the end, the Cubans relented and no further efforts were made to seize the building at the time.<sup>33</sup>

The return of the boats of the arrested Cuban fishermen was also negotiated in the course of February 1964 with the help of Stadelhofer,

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<sup>30</sup> Cf. Lettre de Charles Masset à F.T. Wahlen, Nationalisation du bâtiment de l'ancienne chancellerie de l'Ambassade des USA à La Havane, dodis.ch/18955.

<sup>31</sup> Nationalisierung der früheren USA-Kanzlei, Havanna, 29. November 1963, dodis.ch/30422.

<sup>32</sup> *FRUS*, 1964-1968, vol. XXXII, doc. 228, Editorial note, and doc. 238, Telegram from the Department of State to the Embassy in Switzerland, Washington, February 8, 1964, 5:05 p.m.

<sup>33</sup> Smith, "Protecting U.S. Interests", p. 101.

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in exchange for the return of an American vessel seized in Cuban territorial waters and an American Piper aircraft deviated in a hijacking incident to Cuba in the previous weeks. As part of the deal the Cubans also ceased their actions against the US naval base at Guantanamo Bay.<sup>34</sup>

Swiss diplomatic efforts in Havana not only intensified during 1964 because of such specific occurrences with the mandate for the US on the island. In early summer of that year, following a decision of the Organisation of American States (OAS), a whole series of Latin American states broke off diplomatic relations with the Castro government. A number of them handed over the representation of their interests in Cuba to the Swiss government as well. In result, Switzerland by the end of 1964 not only represented the US in Cuba, but in addition also handled the interests of Argentina, Guatemala, Honduras, Chile, Brazil, Ecuador, Venezuela, Colombia, and Haiti via its embassy in Havana.<sup>35</sup>

### **The Camarioca Crisis and the Varadero-Miami Airlift (1965-1973)**

1965 brought another surprising decision of the Cuban government, which meant additional and unexpected work for the Swiss authorities looking after the US interests in Havana. On 28 September 1965 Castro announced that any Cuban who wished to leave the country for the United States was free to do so. They only had to go to the port of Camarioca, a small fishing village east of Varadero, where exiled friends and relatives from the US could pick them up by boat after 10 October. This triggered a chaotic rush of small boats from Florida to Camarioca. Over the next few weeks, some five thousand Cubans left for the US in everything from cabin cruisers to skiffs with outboard motors.<sup>36</sup>

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<sup>34</sup> Kubanisch-amerikanischer Fischereizwischenfall, Brief Stadelhofer (Havanna) an Micheli (Bern), Havanna, 29. Februar 1964, dodis.ch/30885; Notiz über die Geschehnisse am Freitag, den 21. Februar 1964, Stadelhofer, Havanna, 25. Februar 1964, dodis.ch/30886; télégramme no. 706 ie, Berne à SuisInterets La Havane, 27 février 1964, dodis.ch/30887.

<sup>35</sup> Knellwolf, *Die Schutzmacht im Völkerrecht*, p. 300.

<sup>36</sup> The following is based on: *FRUS*, 1964-1968, vol. XXXII, doc. 308, Editorial Note; and Smith, "Protecting U.S. Interests", p. 101.

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In the first week after 10 October 1965 the number of Cubans arriving in Florida this way already exceeded 700. However, several lost their lives in this impromptu sealift, while thousands were still camped out waiting in Camarioca, and some more thousands – no one knew how many – headed there from all over the island. With the US Coast Guard warning of a maritime disaster if the sealift was not closed off, and the sudden and uncontrolled departure of people from their jobs threatening a serious impact on the Cuban economy, the governments in Washington and Havana came to see it in their common interest to halt the sealift and organise an orderly departure program in its place. While US authorities tried to persuade Cubans in southern Florida to wait until orderly arrangements could be worked out, they instructed the Swiss embassy in Havana to negotiate the conditions for an organised refugee *airlift* from Varadero to Miami. According to Smith the Swiss ambassador Stadelhofer based his negotiations with Castro on guidelines – in some cases on specific instructions – he received from the US State Department, but “the face-to-face bargaining fell entirely to him”.<sup>37</sup>

Throughout the negotiations the United States insisted that the Camarioca boat traffic had to be reduced, controlled, and eventually eliminated. On 28 October the Cuban Ministry of Interior announced that as of midnight that day, no more boats would be allowed to dock at Camarioca to pick up relatives. This action slowed the southward flow of boats, but some 300 small boats already anchored at Camarioca continued to move northward. Only when an agreement between the US and Cuba became imminent from the talks conducted by Stadelhofer on 4 November, the Cuban government finally announced that as of noon that day it would permit no further departure of Cuban citizens from Camarioca.

In the end, on 6 November 1965, official notes could be exchanged between Washington and Havana formalising a Memorandum of Understanding<sup>38</sup> covering procedures for the movement of refugees

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<sup>37</sup> *Ibid.*

<sup>38</sup> The Memorandum of Understanding as well as the exchange of notes effecting the agreement can be found in: U.S. Department of State, ed. *United States Treaties and Other International Agreements*, vol. 17, part 1, 1966, Washington 1967, pp. 1045-1064.

from Cuba to the United States in an airlift operation starting on 1 December.<sup>39</sup> It allowed for the departure of between 3'000 and 4'000 Cubans per month in an airlift provided by the US government, departing from Varadero Airport, 85 miles east of Havana. The understanding contained no time limitation.

After the Cuban missile crisis in 1962 all direct commercial air transportation between the United States and Cuba had been suspended. The airlift provided a major new transportation link operating on the basis of two flights per day, 5 days a week, carrying an average of 4'000 persons each month from Varadero to Miami, Florida. In total, 9'268 refugees arrived from Cuba during 1965. Of these, 3'349 came in December via the airlift.

The refugee airlift continued to operate over the next seven years. The Swiss not only negotiated the agreement to make the establishment of the airlift possible, but every person leaving the island for the United States was interviewed and documented by the Swiss embassy in Havana before departure for approval by Washington. According to Smith "no protecting power has ever before or since shouldered a greater burden".<sup>40</sup> Until 1 December 1968, the airlift had brought 131'372 Cuban refugees to the United States, a number that nearly doubled until the end of the operation in April 1973, by which time a total of 260'737 refugees had entered the United States this way.<sup>41</sup>

The handling of the applications and formalities for the refugee airlift was an unusual task for the Swiss authorities, indeed. One of the few Swiss documents we already have available – an inspection report by ambassador Probst of 1966 – makes it clear that the Varadero-Miami airlift in these years was *the* central element of the protecting power mandate and required unusual commitment and resources on the

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<sup>39</sup> Until the airlift would become operational, the US government began an organised sealift evacuation of the 2'000 refugees stranded at Camarioca by chartered vessels. The sealift was completed on 24 November when the last eligible Camarioca refugees were brought to the United States.

<sup>40</sup> Smith, "Protecting U.S. Interests", p. 101f.

<sup>41</sup> In May 1966 the Cuban government had stopped accepting new registrations for the airlift – with thousands still awaiting departure –, and in 1973 Castro unilaterally closed down the airlift, saying it had outlived its usefulness. *FRUS*, 1964-1968, vol. XXXII, doc. 308, Editorial Note.

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Swiss side.<sup>42</sup> By June 1966 some 50 staff were busy in the former American embassy with the handling of the protecting power mandate, mainly dealing with the requests of Cubans who wanted to leave the country via the airlift. Since October 1965 some 55'000 applications were pending. The fact that the Cubans had excluded the remaining 700 American citizens and their families from being eligible for the airlift posed an additional political problem to the Swiss.

The inspection report did not conceal the fact that not only the unusual workload in the tropical climate affected the Swiss embassy staff, but also the special living conditions under the demagogic regime as well as the psychological strain of everybody involved with the airlift, including the ambassador. Indeed, the British ambassador to Cuba, Adam Watson, confided to Probst that Stadelhofer definitely needed a rest from the task: "Your Ambassador is the most outstanding diplomat in Havana. He did miracles. But he is tired now. You should take him away before he has a breakdown."<sup>43</sup> Stadelhofer, in fact, had already been on his post longer than the usual three to four year's turn and was replaced later that year with his consent. Many achievements within the mandate over the past years were linked to his personal engagement and inventiveness, but this had also left its mark on the relationship with the US State Department, which at times became irritated about the independence of some of his decisions. However, this led Probst in the continuation of his delegation's inspection trip to Cuba/Florida and Washington, to remind the American authorities that "the Swiss Embassy in Havana [was] not a branch office of the US State Department"<sup>44</sup>, and the choice of tactical methods in dealing with the Cuban government had to be left to the Swiss representative in Havana for his better knowledge on the special local conditions.

### **The 1970 Embassy Siege**

Stadelhofer's successor as ambassador to Cuba, Alfred Fischli, was not spared specific moments of tension in connection with the US interests

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<sup>42</sup> BAR, Nachlass Bindschedler, 1000/1318, Bd. 71, Kubareise Ende Mai / Anfang Juni 1966, vertraulicher Bericht R. Probst an Bundesrat W. Spühler, Bern, 14. Juni 1966.

<sup>43</sup> *Ibid.*

<sup>44</sup> *Ibid.*

mandate in Havana either. Following the sinking of two Cuban fishing boats on 12 May 1970 and the seizure of their crews as political hostages by the Cuban exile organisation Alpha 66 on a Caribbean island, tens of thousands of Cubans, incited by radio Havana, demonstrated several days against the American embassy building in Havana, where Swiss embassy officials dealing with the protecting power mandate worked.<sup>45</sup> The aim of the siege was to force the release of the eleven Cubans taken prisoner by Alpha 66. Swiss officials in the former US embassy building were kept virtual prisoners for three days by the demonstrators, while the Swiss ambassador was prevented from getting in touch with his people other than by phone. Urgently needed medical assistance for one of the Swiss officials as well as food for them was not allowed to pass. Only the release of the kidnapped Cuban fishermen on 18 May finally put an end to the demonstrations and to the threat for the Swiss officials in the embassy building.

But the incidence also triggered a renewal of the discussion on the ownership structure of the former US embassy building, at the time under Swiss custody. Cuban authorities considered American claims on the premises as forfeited, and had only tacitly agreed to the use of the building by the Swiss protecting power in the past years. The most insistent *démarches* by the Swiss embassy referring to the rules of the Vienna Conventions on Diplomatic Relations were necessary to prevent the Cubans from another attempt to definitely occupy and nationalise the building in the circumstances.<sup>46</sup>

The episode also had unwelcome reverberations on bilateral Swiss-Cuban relations. After an official note by the Swiss Foreign Ministry protesting against the events in Havana could not be delivered to the Cuban embassy in Berne for several days, Swiss Foreign Minister Pierre Graber on 20 May held a press conference explaining the Swiss point of view and deploring the fact that the Cuban ambassador to Switzerland had not been available during this crucial period. A day later the Cuban

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<sup>45</sup> Probst, 'Good Offices', p. 114f; *FRUS*, 1969-1972, vol. E-10, doc. 240, Paper Prepared in the Department of State, Washington, July 13, 1971.

<sup>46</sup> Österreichisches Staatsarchiv/Archiv der Republik (Austrian State Archive, Vienna, hereafter ÖStA/AdR), BMfaA, II-Pol, non-registered box no. 45, Schweiz, 1970, CASTROS "Zuckerschlacht"; die schweizerisch-kubanische Kontroverse, Bericht H. Thalberg an Bundesminister R. Kirchschräger, Mexico, 18. Juni 1970.

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Foreign Ministry reacted with a note of protest complaining that the Swiss minister had acted and spoken like an agent of the “imperialists”. The Swiss Foreign Ministry reciprocated with a note on 23 May saying that the news agency wire, on which Cuba was basing its protest, had reproduced Graber’s statement inadequately; in the end, the diplomatic incident could be settled with the Cuban Foreign Minister Raúl Roa acknowledging the Swiss explanations, which, in return, was considered an acceptable answer by the Swiss authorities to let the matter rest.<sup>47</sup> But the three-day embassy siege in 1970 remained a warning that the mandate in Cuba could easily get the Swiss government into political trouble if it did not pay the utmost attention to its bearings as a protecting power in Havana.

### **The Anti-Hijacking Agreement with Cuba (1969-1973)**

The issue that preoccupied the Swiss protecting power most during the tenure of ambassador Fischli in Havana was the hijacking to Cuba of civil aircraft from countries whose interests had been entrusted to Switzerland. It had begun on 1 May 1961, when US National Airlines flight 440 to Key West became the first American aircraft to be hijacked to Cuba. In the following six years eight more attempts to commit air piracy and fly planes to the Caribbean island occurred. Two of the attempts were frustrated, but six succeeded.<sup>48</sup> The role of the protecting power, under such circumstances, was to ensure that the aircrafts, together with their respective crews, passengers and belongings, were able to fly home again. Most hijackings were carried out by fugitives from justice on criminal charges in the US, or persons of unstable mental conditions, and only to a smaller part by Cuban refugees desiring return to Cuba. There was no evidence of official Cuban complicity in the hijackings beyond the fact that the Castro regime

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<sup>47</sup> *Ibid.*, Wahrung der Interessen der USA in Kuba durch die Schweiz; Manifestationen vor der US-Botschaft in Havanna Ende Mai d.J., Bericht M. Scheich an das Bundesministerium für Auswärtige Angelegenheiten, Bern, 9. Juni 1970; *ibid.*, Angebliche Äusserungen des schweizerischen Aussenministers anlässlich einer Pressekonferenz am 20. Mai 1970, Bericht E. Bielka an das Bundesministerium für Auswärtige Angelegenheiten, Bern, 16. Juli 1970.

<sup>48</sup> *FRUS*, 1964-1968, vol. XXXIV, doc. 296, Editorial note. In the second half of 1967 two Colombian and a Bahamian plane were also abducted to Cuba.

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obtained a certain propaganda benefit from the incidents. However, the international publicity over the hijackings also caused some uneasiness in Havana.<sup>49</sup>

The problem really threatened to get out of hand, when in 1968 and 1969 the numbers of hijackings of airplanes to Cuba increased dramatically. In 1968 alone 27 successful and unsuccessful attempts to hijack US and Latin American planes were registered, a number that jumped to 56 in 1969, out of which a majority of 31 cases concerned US air companies.<sup>50</sup>

First the US government tried to obtain Cuban cooperation in deterring the hijackings of aircraft by third-party initiatives such as the International Air Transport Association (IATA), the Mexican government and the International Civil Aviation Organisation (ICAO), but to no avail.<sup>51</sup> Apart from the laborious task to request and process the return of the plane, its crew and passengers from the Cuban government after each hijacking, the Swiss protecting power so far had not been involved in finding a solution to the problem. More specific Swiss assistance was solicited for a first time by the US authorities in July 1968, when they asked the Swiss embassy to approach the Cuban government with a request to explore whether it would agree in principle if Cuban exiles living in the US and wishing to return to Cuba would be allowed to use the Varadero-Miami airlift “return-flight”. Although only a minority of the hijackings were considered to be motivated in such a way, the US authorities thought that if such possibility for free return was made known, the danger of people being tempted to hijack a plane could be diminished somewhat. However, despite repeated efforts by the Swiss to get a reaction from the Cubans

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<sup>49</sup> Probst, ‘Good Offices’, p. 115; Knellwolf, *Die Schutzmacht im Völkerrecht*, p. 301; *FRUS*, 1964-1968, vol. XXXIV, doc. 310, Intelligence Note From the Director of the Bureau of Intelligence and Research (Hughes) to Secretary of State Rusk, Washington, December 10, 1968.

<sup>50</sup> *Ibid.*; Knellwolf, *Die Schutzmacht im Völkerrecht*, p. 301.

<sup>51</sup> *FRUS*, 1964-1968, vol. XXXIV, doc. 309, Action Memorandum From the Assistant Secretary of State for Inter-American Affairs (Oliver) to Secretary of State Rusk, Washington, December 6, 1968.

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on this matter, the US proposal to utilise the refugee airlift for Cubans who wished to return to Cuba went unanswered.<sup>52</sup>

As all other previous initiatives had failed, and with the alarming increase in frequency of hijackings, the US government by the end of 1968 decided to approach the Cubans bilaterally again through the Swiss, proposing a more substantial arrangement this time. The note transmitted through the Swiss embassy called for the return of hijackers of commercial aircrafts (for prosecution in the US) and offered to discuss such arrangements also on a reciprocal basis if desired by the Cuban government.<sup>53</sup> This new approach involved the Swiss clearly beyond their traditional letter-carrier role, as the Swiss ambassador Fischli in Havana now became a first sounding board and important source of information for the US on Cuban reactions. On 1 February 1969 Fischli was summoned to see the Cuban Foreign Minister Roa to receive the answers from the Cuban government to the American demarches on hijacking. Although the Cubans remained non-committal on the substance of the US proposal, this last initiative definitely established a dialogue between Washington and Havana through the Swiss channel, with ambassador Fischli acting as an important interpreter to both sides.<sup>54</sup> Still, until summer 1969 the efforts remained inconclusive.

First signs that Cuban authorities may be prepared to return hijackers to the United States and other countries willing to conclude bilateral agreements became evident when the Cuban government on 16 September 1969 passed a law “to adopt measures to put an end to the climate of insecurity created in air and ocean navigation by the diversion by force of ships and planes from their normal routes and activities, and to adapt the application of such measures to the attitude

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<sup>52</sup> *Ibid.*, doc. 298, Telegram From the Department of State to the Embassy in Switzerland, Washington, July 10, 1968.

<sup>53</sup> *Ibid.*, doc. 311, Telegram From the Department of State to the Embassy in Switzerland, Washington, December 11, 1968.

<sup>54</sup> *FRUS*, 1969-1976, vol. E-1, doc. 122, Memorandum from the President's Assistant For National Security Affairs (Kissinger) to President Nixon, Washington, February 7, 1969; *FRUS*, 1969-1976, vol. E-10, doc. 197, Memorandum of Conversation, Washington, March 11, 1969, 2:45 p.m.; *ibid.*, doc. 199, Memorandum of Conversation, Washington, April 11, 1969, 5 p.m.

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assumed by other States on bases of equality and reciprocity.”<sup>55</sup> The US government tried to explore the opening created by new law by sending a note to the Cubans through the Swiss embassy, confirming the American interest to conclude such an agreement on a bilateral level with Cuba. By early 1970 Fidel Castro in a somewhat cryptic reply – which was interpreted in Washington as a signal that Cuba in principle was ready to negotiate with the US on this matter – gave at least an answer of a provisional nature.<sup>56</sup> After a further exchange of notes between Washington and Havana, the employment of a Memorandum of Understanding as an instrument of reply was discussed on 13 to 15 May 1970 during a visit of ambassador Fischli to Washington. On 19 June, finally, the Swiss embassy was asked to put forward to the Cuban authorities a proposed exchange of notes setting forth a Memorandum of Understanding between the US and Cuban governments on an anti-hijacking agreement.<sup>57</sup> The reply was delivered in a note from Foreign Minister Roa of 29 September but remained equally non-committal as previous messages. The Swiss ambassador in subsequent conversations with the Cubans tried in vain to ascertain what changes Cuba would like to make in the American draft of the Memorandum. Fischli’s impression was that the Cubans were now trying to gain time without having to assume responsibility for prolonging the unresolved situation.<sup>58</sup> Negotiations bogged down again over the next one and a half year, and talks mainly stalled over Cuban insistence that any such agreement should also cover the return of illegal exiles, including those already in the US, and the prohibition of any acts of piracy against Cuban territory by émigré groups. Ambassador Fischli left his post for reassignment in January 1971, and was replaced by Silvio Masnata a few months later. Negotiations between Washington and Havana over the anti-hijacking agreement

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<sup>55</sup> *FRUS*, 1969-1976, vol. E-1, doc. 128, Telegram 199293 From the Department of State to the Embassy in Switzerland, November 28, 1969.

<sup>56</sup> *Ibid.*, doc. 129, Telegram 3810 From the Department of State to the Embassy in Switzerland, January 9, 1970.

<sup>57</sup> *Ibid.*, doc. 131, Telegram 96818 From the Department of State to the Embassy in Switzerland, June 19, 1970.

<sup>58</sup> *Ibid.*, doc. 133, Memorandum from Arnold Nachmanoff of the National Security Council Staff to the President’s Special Assistant for National Security Affairs (Kissinger), Washington, December 22, 1970.

only resumed when more incidents of the kind occurred in autumn 1972 involving hijackers of a clearly criminal nature. Thereafter the Cuban government issued a number of statements indicating its definite willingness to enter negotiations again with the US on the air piracy problem.<sup>59</sup> The US government immediately signalled readiness to hold new talks through the Swiss embassy in Havana. And this time, the talks succeeded and resulted in an agreement signed on 15 February 1973.<sup>60</sup>

In November and December 1972 ambassador Masnata and his collaborators had met several times with the Cuban Foreign Minister Roa and his staff to begin working on the draft agreement. The Swiss ambassador was also asked to travel to Washington for talks with the State Department in order to define the framework for further Swiss-Cuban discussions on the matter.<sup>61</sup> The frequency and speed with which Cuba now replied to US proposals indicated the high priority Havana finally gave to the question. After ambassador Masnata was able to settle remaining differences over the formulation of the Memorandum in January 1973, agreement on the text for the anti-hijacking agreement was ultimately reached on 13 February<sup>62</sup> and became effective in an exchange of notes two days later.<sup>63</sup> The agreement did not miss its effect, as hijackings of aircrafts to Cuba

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<sup>59</sup> *Ibid.*, doc. 135, Memorandum of Conversation between Secretary Rogers and Swiss Ambassador Schnyder, Washington, November 16, 1972.

<sup>60</sup> On 22 July 1974 Columbia and Cuba signed a similar agreement, which had been negotiated with the help of Swiss representatives in Havana and Bogotá. Knellwolf, *Die Schutzmacht im Völkerrecht*, p. 301.

<sup>61</sup> *FRUS*, 1969-1976, vol. E-1, doc. 137, Memorandum from Secretary Rogers to President Nixon, Washington, November 27, 1972; *ibid.*, doc. 138, Memorandum from the President's Assistant for National Security Affairs (Kissinger) to President Nixon, Washington, December 3, 1972; *ibid.*, doc. 139, Memorandum from Deputy Assistant Secretary of State for Inter-American Affairs (Hurwitsch) to Secretary of State Rogers, Washington, December 12, 1972; *ibid.*, Information Memorandum from Assistant Secretary of State for Inter-American Affairs (Meyer) to Secretary of State Rogers, Washington, December 21, 1972.

<sup>62</sup> The approved agreement dealt with Cuban demands for the return of illegal exiles, but ruled out retroactive action, thereby protecting Cuban émigrés already in the US. The deal also exempted cases of political asylum from the provisions of the agreement.

<sup>63</sup> *FRUS*, 1969-1976, vol. E-1, doc. 141, Information Memorandum from Assistant Secretary for Inter-American Affairs (Meyer) and Acting Legal Advisor (Brower) to Secretary of State Rogers, Washington, January 25, 1973; *ibid.*, doc. 142, Memorandum from Serban Vallimarescu of the National Security Council Staff to the President's Deputy Assistant for National Security Affairs (Scowcroft), Washington, February 13, 1973.

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practically stopped after February 1973, and only incursions of aberrant vessels into Cuban territorial waters every now and again remained a cause for interventions of the protecting power with the Cuban authorities.<sup>64</sup>

## Conclusions

The mandate for the US in Cuba between 1961 and 1977 clearly engaged the Swiss authorities in Berne and its representatives in Havana beyond the classic administrative tasks of a protecting power. The Varadero-Miami airlift operation, as well as the facilitation of the anti-hijacking agreement were of unprecedented character and demanded exceptional personnel resources and diplomatic skills. It seems that ambassador Stadelhofer, on posting in Havana from 1961 to 1966, in particular had been able to establish a special relationship with the “bearded man”, as the Cuban leader Fidel Castro was often referred to among the local population, which allowed him to handle questions with regard to the US mandate in an unconventional and non-bureaucratic way. However, the autonomy Stadelhofer apparently took in his deliberations also caused criticism by the US State Department in some instances. Stadelhofer’s successor, Alfred Fischli, involved in the negotiations at the peak of the problem of hijacked US airplanes, on the other hand, seems to have lacked the inventiveness and personal access to the Cuban leadership, which would have eventually allowed for an earlier solution of the problem. This assumption is, however, so far of a speculative nature, and can only be tested once more documentary evidence becomes available.<sup>65</sup> Overall, this first historical review on the Swiss representation of US diplomatic interests in Cuba reveals that the mandate definitely comprised a number of unusual assignments, which certainly deserve more in depth analysis in the future. At the same time, it needs to be stated that exceptional circumstances for the Swiss embassy in Havana did not end with the re-installation of the US

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<sup>64</sup> Knellwolf, *Die Schutzmacht im Völkerrecht*, p. 301.

<sup>65</sup> Speculations are based on a single Austrian source pointing in this direction: ÖStA/AdR, BMfAA, II-Pol, non-registered box no. 45, Schweiz, 1970, CASTROS „Zuckerschlacht“; die schweizerisch-kubanische Kontroverse, Bericht H. Thalberg an Bundesminister R. Kirchschräger, Mexico, 18. Juni 1970.

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Interests Section in 1977. In the 1980s Switzerland again was involved as protecting power in critical incidences such as the Mariel sealift crisis<sup>66</sup> – something of a sequel to the Varadero-Miami airlift – of which we will probably only learn more when documents on this decade become fully available.

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<sup>66</sup> Smith, "Protecting U.S. Interests", pp. 108-110.

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